



W.P(MD)No.24381 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.10.2023

Coram

THE HON'BLE MR.JUSTICE **M.SUNDAR**
and
THE HON'BLE MR.JUSTICE **R.SAKTHIVEL**

W.P(MD)No.24381 of 2023

Brazil

.. Petitioner

VS

- 1.The Principal Secretary,
Department of Social Welfare and Women Empowerment,
St. George Fort, Chennai – 600 009.
- 2.The Principal Secretary,
Department of School Education,
St. George Fort,
Chennai – 600 009.
- 3.The Chief Educational Officer,
O/o.Chief Educational Officer,
Thoothukudi.
- 4.The Chief Educational Officer,
O/o.Chief Educational Officer,
Tirunelveli.
- 5.The Chief Educational Officer,
O/o.Chief Educational Officer,
Tenkasi.
- 6.The Chief Educational Officer,
O/o.Chief Educational Officer,
Kanniyakumari.

.. Respondents



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Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the respondents to extend the Chief Minister's Breakfast Scheme to the Government aided Schools in the abovementioned coastal Villages Kootapuli, Kooduthalai, Koothankuli, Manappadu, Alanthalai, Pattanam, Periyathalai, Palayakayal, Punnakayal, Thoothukudi-Bethani, Aloycious-Boltenpuram, Vembar, Indinthakarai, Nagercoil.

For Petitioner : Ms.A.Rajini

For Respondents : Mr.P.Thilak Kumar
Government Pleader

ORDER

[Order of the Court was made by M.SUNDAR, J.]

Captioned Writ Petition has been filed in this Court as a 'Public Interest Litigation' (hereinafter 'PIL' for the sake of brevity) with a Mandamus prayer for extending 'Chief Minister's Breakfast Scheme' (hereinafter 'CMBFS' for the sake of brevity) to Government Aided Schools also in 15 coastal Villages namely Kootapuli, Kooduthalai, Koothankuli, Manappadu, Alanthalai, Pattanam, Periyathalai, Palaiyakayal, Punnaikayal, Thoothukudi-Bethani, Thoothukudi-Aloycious, Vembar, Indinthakarai, Thoothukudi-Boltenpuram and Nagercoil.



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2.Though a Writ Miscellaneous Petition in W.M.P(MD)No.20901 of 2023 seeking amendment of Mandamus prayer to one of Certiorarified Mandamus for assailing Government order being G.O.(Ms).No.43 dated 27.07.2022 (G.O pertaining to launch of CMBFS) was taken out, learned counsel fairly withdrew W.M.P(MD)No.20901 of 2023 saying that CMBFS itself is good and noble, but the prayer is only for extending the scheme to Government aided Schools also in aforementioned 15 costal areas.

3.Issue notice.

4.Mr.P.Thilak Kumar, learned Government Pleader, accepts notice for all six respondents.

5.From the submissions, the following undisputed points come to light:



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(i) CMBFS was launched on and from 15.09.2022
(G.O(Ms)No.43, dated 27.07.2022) for as many as 1,545
Government Primary Schools for children in Grades I to V;

(ii) In the aforementioned Schools, the children in
aforementioned Grades are estimated at 1,14,095;

(iii) Thereafter there has been a continuous ongoing
study for expanding the scheme owing to which it was
expanded to 31,008 Government Schools and the children
who would come under the CMBFS (Grade I to V) in this
31,008 was estimated at 18,53,798. This is on and from
07.06.2023 vide G.O.Ms.No.33, dated 07.06.2023;

(iv) Now as regards the plea of the petitioner is
concerned, on instructions from Commissioner of Social
Welfare, learned Government Pleader submits that evaluation
is proposed to be taken up by the Government through
Department of Evaluation and Applied Research and based



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on the findings and financial implications, the Government

will take a decision regarding further expansion.

6.In the light of the stated position that an evaluation is underway through Evaluation and Applied Research Department and that a decision regarding expansion will be taken based on the same and the further submission that this evaluation will obviously mean that 15 Schools thereat in coastal Districts will also be part of the evaluation.

7.We find that the plea of writ petitioner is addressed and we drop the curtains on the captioned PIL.

8.Recording the stated position, captioned PIL is disposed of as closed. There shall be no order as to costs.

(M.S.,J.) (R.S.V.,J.)
13.10.2023
(1/2)

Index : Yes/No
Neutral Citation : Yes/No
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