



WEB COPY



W.P.No.5649 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.03.2024

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.5649 of 2024

P.A.Josseph

.. Petitioner

VS

- 1.The Under Secretary,
Prime Minister Office,
South Block, Raisina Hill,
New Delhi-110 011.
- 2.The Secretary,
Ministry of Education,
124-C, Shastri Bhawan,
Delhi-110 001.
- 3.The Law Commission of India,
4th Floor, B Wing, Lok Nayak Bhawan,
Khan Market,
New Delhi-110 003.
- 4.The State of Tamilnadu,
rep. by its Chief Secretary,
Secretariat Buildings,
Fort St. George,
Chennai-600 009.



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5.The State Governor of Tamil Nadu,
rep. by its Principal Secretary,
Raj Bhavan, Guindy,
Chennai-600 022.

6.The State of Tamil Nadu,
rep. by its Principal Secretary,
School Education Department,
Secretariat Buildings,
Fort St. George,
Chennai-600 009.

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to consider the petitioner's representation dated 26.10.2023.

For the Petitioner : Mr.K.G.Senthilkumar

For the Respondents : Mr.R.Rajesh Vivekananthan
Dy. Solicitor-General
for respondents 1 to 3

: Mr.A.Edwin Prabakar
State Government Pleader
for respondents 4 to 6

ORDER

(Order of the court was made by the Hon'ble Chief Justice)

We have heard Mr.K.G.Senthilkumar, learned counsel for the petitioner; Mr.R.Rajesh Vivekananthan, learned Deputy Solicitor-



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General for respondents 1 to 3; and, Mr.A.Edwin Prabakar, learned State Government Pleader for respondents 4 to 6.

2. The writ petition is filed with a prayer that the Central Government should implement its educational policy in the State of Tamil Nadu by invoking Article 254 of the Constitution of India.

3. The petitioner had earlier filed W.P.No.3681 of 2022 and the said writ petition was dismissed by a Co-ordinate Bench of this Court to which one of this [*D.B.C.,J.*] was a member. The said writ petition was filed seeking directions to the State authorities to adopt the NCERT syllabus from elementary to higher secondary in the State of Tamil Nadu. The same was negated. A Division Bench of this Court, in the said case, observed that *"the learned counsel for the petitioner has failed to refer to any provision which mandates the State Government to adopt the NCERT syllabus for the Government schools. Rather, the State Government has come out with a syllabus and the challenge to that did not sustain up to the Supreme Court. Apart from that, it being a policy decision not shown to be in violation of the statutory provisions, the jurisdiction of this Court would be very limited. It is up*



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to the State Government to take a policy decision regarding syllabus, whether to adopt NCERT syllabus or to provide some other syllabus as per the Rules”.

4. Similar prayer is made in a different form in the present writ petition. The filing of the earlier writ petition has been suppressed by the petitioner.

5. The writ petition, as such, is dismissed with costs.

(S.V.G., CJ.)

(D.B.C., J.)

06.03.2024

Index : Yes/No
Neutral Citation : Yes/No
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