



WEB COPY

WP No.16205 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23-01-2024

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THE HONOURABLE MR.JUSTICE S.M. SUBRAMANIAM

WP No.16205 of 2018

And

WMP Nos.19287 and 19288 of 2018

K.Vetharaj Palson

.. Petitioner

-VS-

- 1.The Secretary,
Government of India,
Ministry of Human Resource and Development,
Department of School Education and Literacy,
Shastri Bhavan,
New Delhi-110 015.
- 2.The Government of Tamil Nadu,
Represented by its Principal Secretary to Government,
School Education Department,
Secretariat,
Fort St. George,
Chennai-600 009.
- 3.The Director,
State Council of Educational Research and Training,
DPI Campus,
College Road,



Chennai-600 006.

.. Respondents

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Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order issued by the second respondent in G.O.Ms.No.92, School Education (ERT) Department, dated 09.05.2018 and quash the same and consequently direct the respondents to take appropriate steps for improvising the Teacher Education Programme (D.El.Ed) in Government District Institution of Educational Training (DIETs) and to ensure pre-service Teacher Education Programme in each DIETs students.

For Petitioner	:	Mr.J.Jayamalan for Mr.S.Nedunchezhiyan.
For Respondent-1	:	Mr.J.Madanagopal Rao, Senior Panel Counsel.
For Respondents-2 and 3:		Mr.G.Ameedius, Government Advocate.



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ORDER

The Government Order issued by the second respondent in G.O.Ms.No.92, School Education (ERT) Department, dated 09.05.2018, is sought to be quashed in the present writ petition and further direction is sought for to take appropriate steps for improvising the Teacher Education Programme (D.El.Ed) in Government District Institution of Educational Training (DIETs) and to ensure pre-service Teacher Education Programme in each DIETs students.

2. The petitioner was appointed as Lecturer in All District Institute of Education and Training Educators Association, which is a society registered under the Societies Registration Act. The second respondent issued Government Order in G.O.Ms.No.92, School Education (ERT) Department, dated 09.05.2018, restructuring of District Institutes of Education and Training.

3. The Director of State Council of Education Research and Training conducted a detailed study on the functioning of District Institutes



of Education and Training and found that the Training Institutes are not functioning to the optimum level, as enrolment for pre-service has come down over the years. Therefore, the Director has submitted proposals to the Government for restructuring of District Institution of Educational Training (DIETs) and proposals sent by the Director was accepted by the Government in the interest of Institution.

4. It is also the policy decision taken by the Government for improvising the functioning of the District Institute of Education and Training. Such policy decisions of the Government, cannot be interfered with by the high Court unless it is established that the said decision is unconstitutional or in violation of the Statutes in force. The Educational System has been improvised based on the Report of the Director and considering the various factors.

5. Certain administrative decisions taken by the Government, while restructuring the Educational System, cannot be interfered, unless the service rights of the employees working in the Department are affected. The constitution or abolition of the post is the administrative prerogative of the



Government Department. Therefore, the employees or its Association has no locus standi to question such administrative decisions taken by the Government.

6. This being the scope of the Government Order, the same would provide no cause for the petitioner to challenge the same. Thus the petitioner has not established any acceptable ground for the purpose of interfering with the Government Order. More-so, based on the Government Order, the Educational System underwent changes and functioning for more than five years.

7. With the above observations, the present writ petition stands dismissed. However, there shall be no order as to costs. Consequently, the connected miscellaneous petitions are also dismissed.

23-01-2024

Index : Yes/No
Internet: Yes/No
Speaking order/Non-Speaking order
Neutral Citation : Yes/No
Svn



To

1. The Secretary,
Government of India,
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Department of School Education and Literacy,
Shastri Bhavan,
New Delhi-110 015.
2. The Principal Secretary to Government,
Government of Tamil Nadu,
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