



W.P.No.30066 of 2019

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.01.2024

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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A.Nedungalian Cousin @ Chezhan .. Petitioner

Vs.

1. The Chief Secretary to Government
Union Territory, Pondicherry
Pondicherry State.
2. The Union Territory of Puducherry
Rep. by its Secretary
Department of Education
Secretariate, Puducherry – 605 001.
3. The Director of School Education
Government of Puducherry
Directorate of School Education
Puducherry – 605 005.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing the Respondents to properly implement the Right of Children to Free and Compulsory Education Act 2009 (Central Act 35/2009) and subsequent G.O.MS 101 dated 24.10.11. The Puducherry Right to Children to free and Compulsory Education rules 2011 passed by the Lieutenant governor Puducherry



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and Implement the Section 12(h) (1) (J) of the said 2011 Rules ie. Mandatory 25 percentage reservation of seats for the children of disadvantaged groups and children weaker sections in Puducherry private (Aided unaided) Schools and implement other provisions of the Rules such as School Management Committee and further direct the Respondents to maintain all the Application.

For the Petitioner : Mr.N.Sivakumar

For the Respondents : Mr.S.Ravee Kumar
Government Pleader
(Puducherry)

ORDER

(Made by the Hon'ble Chief Justice)

Heard Mr.N.Sivakumar, learned counsel for the petitioner and Mr.S.Ravee Kumar, learned Government Pleader (Puducherry) for the respondents.

2. In the present petition, directions are sought against the first respondent to implement the Right of Children to Free and Compulsory Education Act, 2009 and the guidelines framed thereunder.

3. No specific instances are placed on record in the present writ petition as to the 25% reservation of seats not being given to the



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students. In case the parents of the students are aggrieved, then the parents of the students can approach the court for mitigation of their grievances. Schools have also not agitated in respect of the same.

4. The Act, Rules and the Guidelines are in place. If the same are not being implemented, then the aggrieved persons can certainly agitate in respect of the same. As no specific instances are also put forth in the present petition, it will not be possible to consider the same on merits.

5. The writ petition, accordingly, stands disposed of. There shall be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

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Index : Yes/No
Neutral Citation : Yes/No

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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

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