



W.P(MD)No.16796 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.12.2024

CORAM :

**THE HONOURABLE MR.JUSTICE M.S.RAMESH
and
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

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T.Senthil @ Thileepan Senthil

... Petitioner

vs.

1. The State of Tamilnadu,
Rep. by its Principal Secretary,
Department of School Education,
Secretariat, Fort St. George,
Chennai-600 009.

2. The Commissioner,
Department of School Education,
D.P.I. Complex, College Road,
Chennai-600 006.

3. The Director,
State Council of Educational Research and Training (SCERT),
College Road,
DPI Campus,
Chennai-600 006.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to include the Child Help Line Number, provisions relating to protection of children from sexual offences, Fundamental Duties and Rights of every citizen of India prescribed by Constitution of India in the Text Book of Tamil Nadu in the Class-I to Class-



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XII in this academic year or upcoming years by considering the petitioner's representation dated 03.08.2021 within the time stipulated by this Hon'ble Court.

For Petitioner : Mr.T.Thirumurugan
For Respondents : Mr.P.Thilakkumar, Government Pleader

ORDER

(Order of the Court was made by **M.S.RAMESH, J.**)

This writ petition has been filed for a Mandamus, directing the respondents to include the child help line number, provisions relating to protection of children from sexual offences, fundamental duties and rights of every citizen of India prescribed by Constitution of India in the school text books of Tamil Nadu from Class-I to Class-XII in this academic year or the upcoming years, by considering the petitioner's representation dated 03.08.2021, within a time frame.

2. The learned counsel appearing for the petitioner would submit that in order to create awareness among the parents as well as the students of the State about their rights and duties from the school level itself, the petitioner made a representation dated 03.08.2021 to the respondents to include the child help line number, provisions relating to protection of children from sexual



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offences, fundamental duties and rights of every citizen of India prescribed by Constitution of India in the school text books of Tamil Nadu from Class-I to Class-XII, in this academic year or the upcoming years and finding no heed to it was paid, he has filed this writ petition.

3. Heard both sides.

4. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of the India and direct them to consider the same within a stipulated time.

5. In the light of the above observations, there shall be a direction to the 3rd respondent herein, to consider the petitioner's representation dated 03.08.2021, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, as well as all other persons,



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who may be interested in the subject property, as expeditiously as possible. It is made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the concerned respondents to consider the same on its own merits.

6. With the above direction, the Writ Petition stands disposed of. No costs.

(M.S.R, J.) (A.D.M.C, J.)
03.12.2024

Index : Yes / No
Neutral Citation : Yes / No
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To

1. The Principal Secretary,
State of Tamilnadu,
Department of School Education,
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Fort St. George,
Chennai-600 009.

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M.S.RAMESH, J.
and
A.D.MARIA CLETE, J.

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ORDER MADE IN
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DATED : 03.12.2024