



W.P.(MD).No.25971 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 29.10.2024

CORAM:

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR**

**W.P.(MD)No.25971 of 2024**

Minor M.S.Visaakan

... Petitioner

Vs.

- 1.The Director,  
Directorate of School Education,  
DPI College Complex Road,  
Chennai 600 006.
- 2.The Chief Education Officer,  
Madurai District,  
Madurai.
- 3.The District Education Officer,  
Madurai District,  
Madurai.
- 4.The District Collector,  
Madurai District,  
Madurai.
- 5.The Correspondent,  
Rotary Laharry Matric Higher Secondary School,  
V.P.Rathnasamy Nadar Road,  
Madurai 625 002.
- 6.The Principal,  
Rotary Laharry Matric Higher Secondary School,  
V.P.Rathnasamy Nadar Road,  
Madurai 625 002.

... Respondents



W.P.(MD).No.25971 of 2024

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents 1 to 4 to consider the petitioner's representation and take action upon the fifth respondent school for physical and mental harassment caused to petitioner's son viz., Visaakan, and to further direct the fifth and sixth respondents to let the petitioner's son continue to study under the Right of Children to Free and Compulsory Education Act 2009, and not to act in a biased manner.

For Petitioner : Mr.J.Selva Aditya  
For Respondents : Mr.T.Amjad Khan (for R1 to R3)  
Government Advocate  
Mr.D.Gandhiraj (for R4)  
Special Government Pleader

### **ORDER**

Mr.T.Amjad Khan, learned Government Advocate, takes notice for the respondents 1 to 3. Mr.D.Gandhiraj, learned Special Government Pleader, takes notice for the fourth respondent.

2. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

3. This petition has been filed by the petitioner to direct the respondents 1 to 4 to consider her representation and take action upon the fifth respondent school for physical and mental harassment caused to her son viz., Visaakan, and to further direct the fifth and sixth



respondents to let the petitioner's son continue to study under the Right of Children to Free and Compulsory Education Act 2009.

4. It is the case of the petitioner that her children, namely Dhanya, who is studying 12<sup>th</sup> Standard and Visaakan, who is studying 8<sup>th</sup> Standard in the fifth respondent School under the Right of Children to Free and Compulsory Education Act, 2009, were harassed both mentally as well as physically by the fifth and sixth respondent as well as the teachers of the School for not paying the prescribed fee of private school. It is the contention of the petitioner that in the year 2020, the fifth and sixth respondent demanded the petitioner to pay a sum of Rs.5000/-, otherwise her children can no longer study under the RTE Act. Though petitioner has also continued to pay amount as demanded by the fifth respondent, her children were harassed and also threatened by the respondents 5 and 6. In this regard, the petitioner has also given representation to the respondents 1 to 4. But, the same has not been considered so far. Hence, seeks direction.

5. Considering the facts and circumstances of the case, this Court, without going into the merits of the case, directs the respondents 1 to 4 to



W.P.(MD).No.25971 of 2024

consider the representation of the petitioner dated 03.10.2024 and pass appropriate order on merits and in accordance with law, within a period of one month from the date of receipt of a copy of this order. If the allegation of the petitioner is found to be true, action will be initiated as per law. No costs.

**29.10.2024**

Index : Yes / No

NCC : Yes / No

*Rmk*

*To*

1.The Director,  
Directorate of School Education,  
DPI College Complex Road,  
Chennai 600 006.

2.The Chief Education Officer,  
Madurai District,  
Madurai.

3.The District Education Officer,  
Madurai District,  
Madurai.

4.The District Collector,  
Madurai District,  
Madurai.



WEB COPY



*W.P.(MD).No.25971 of 2024*

**N.SATHISH KUMAR, J.**

*Rmk*

**W.P.(MD)No.25971 of 2024**

**29.10.2024**