



WP(MD). No.172 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 01/12/2025

CORAM

The Hon`ble Mr.Justice KRISHNAN RAMASAMY

WP(MD). No.172 of 2023

Association of Management of Hindu Educational Institution
(Reg. No.48/1988) Tamilnadu
Shri Ramakrishna Ashram
Thiruvedagam West
Madurai-624217
Rep. by its Secretary
Swami. Niyamanantha
S/o. Ramakrishnan

Petitioner(s)

Vs

1. The State of Tamil Nadu
Rep. by its Additional Chief Secretary to Government
Finance Department Secretariat Fort St.George
Chennai-600009.

2. The State of Tamilnadu
Rep. by its Secretary to Government
Human Resources Management Department
Secretariat Fort St.George Chennai-600009.

3. The State of Tamilnadu
Rep. by its Secretary to Government
Social Welfare and Women Empowerment Department
Secretariat Fort St.George Chennai-600009.



WP(MD). No.172 of 2023

4. The State of Tamilnadu
Rep. by its Principal Secretary to Government
School Education Department
Secretariat Fort St.George
Chennai-600009.

5. The Commissioner
Directorate of School Education
DPI Campus College Road
Chennai-600006.

6. The Director of Elementary Education
DPI Campus College Road
Chennai-600006.

7. T. Kanagaraj
S/o.P. Thangaiah
General Secretary
Tamil Nadu Government Aided School Teaching and
Non Teaching Staff Federation
Reg.Sl.No.SRG/Kaniyakumari/68/2013
Door No.11/3G Marianesan Building
Neal Old Bus Stand Thuckalay
Kanyakumari District.

(R7 is impleaded vide Court Order dated 31.01.2023
in WMP(MD).1374/2023 in WP(MD).172/2023 by GRSJ)

Respondent(s)

Prayer:Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the Respondents to pass orders extending the cost-free welfare schemes implemented in Government Schools to the benefit of students of Government Aided Schools with reference to Morning Breakfast, Special Incentive for Higher Education, Priority in Government Service,



WP(MD). No.172 of 2023

Reservation for Admission in Higher Education and other welfare measures, without any discrimination, in consideration of representation submitted by the petitioner Association, within a time frame to be fixed by this Court.

For Petitioner : Mr.Mr.M.RajaSivanath for
Mr.G.Sailendra Babu
For Respondents : Mr.J.Ashok for R1 to R6
Addl. Government Pleader
Mr.S.Visvalingam for R7

ORDER

This writ petition has been filed for a mandamus to direct the respondents to pass orders extending the cost-free welfare schemes implemented in Government Schools to the benefit of students of Government Aided Schools with reference to Morning Breakfast, Special Incentive for Higher Education, Priority in Government Service, Reservation for Admission in Higher Education and other welfare measures, without any discrimination, in consideration of representation submitted by the petitioner Association, within a time frame to be fixed by this Court.

2. Heard the learned counsel for the petitioner, the learned Special Government Pleader for the respondents 1 to 6 and the learned counsel



WP(MD). No.172 of 2023

for the 7th respondent.

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3. The petitioner is an Association and its grievance is that the cost free schemes that are implemented to the Government Schools have not been extended to the aided schools and for extending the said benefits, the petitioner has sent representations to the official respondents. Since the same has not been considered and the said schemes have not been extended so far, the petitioner is before this Court.

4. The 6th respondent has filed a detailed counter, wherein, it is stated that when G.O.Ms.No.43 Social Welfare and Women Empowerment Department dated 27.07.2022 was issued, the same was not extended to the aided schools. However, subsequently the Government issued G.O.Ms.No.82 dated 16.08.2021, the said scheme has been extended to all the schools. Paragraph 14 of the counter speaks about various schemes provided to both Government as well as Aided schools and there are about 14 schemes and that the aided as well as Government schools are benefitted from these schemes. For useful reference, paragraph 14 is extracted as under:



WP(MD). No.172 of 2023

“14. I submit that in order to implement the Right of Children to e and Compulsory Education (RTE) Act, 2009 and to achieve the cational goals through Elementary Education, the Government of mil Nadu is taken lot of initiatives and introduced various welfare asures in order to achieve ensuring100% access to all children, ening of new schools/ upgrading existing schools, Opening of idential schools in sparsely populated areas. I submit that Tamil du Government have also provide following welfare scheme in Fer to achieve the object:

(i) Noon Meal is being provided for all the children of Government Aided Schools (Standard 1-8). The object of the Mid-Day Meal scheme is to increase school attendance, improve socialisation among castes, address malnutrition, and empower women through employment.

(ii) 4 Sets of Cost free Uniforms every year for all the children who are enrolled in Noon Meal programme (Standard 1-8).

(iii). Cost Free Text Books to all children in Government and Aided Schools and for Self Finance sections only Tamil medium Text Books are being provided (Standard 1-8). The said scheme was also extended to the writ petitioner school also.

(iv). Cost Free Note Books to all children of Government and Aided Schools (Standard 1-8).

(v) Cost Free School Bag to all children of Government and Alded Schools (Standard 1-8).



WEB COPY



WP(MD). No.172 of 2023

(vi). Cost Free Crayons to 1 and 2nd standard children of Government and Aided Schools.

(vii). Cost Free Colour Pencils to 3 to 5th standard children of Government and Aided Schools.

(viii.) Cost Free Geometry Boxes to 6th Standard and newly admitted children of 7th standard and 8th Standard from Self finance section /Self Finance Schools in Government and Aided Schools.

(ix) Cost Free Atlas to 6th standard and newly admitted children of Standard and 8th Standard from Self finance section /Self Anance Schools in Government and Aided Schools.

(x) Cost Free Chapels to 1 to 5th standard children of Government and Aided Schools.

(xi). Cost Free Shoes and socks 6 to 8th standard children of Government and Aided Schools.

(xii). Cost Free Woolen Sweater for all students in Hill areas who are enrolled in Noon Meal programme (Standard 1-8).

(xiii) Cost Free Boots and Socks for all students in Hill areas who are enrolled in Noon Meal programme (Standard 1-8).

(xiv). Cost Free Rain coat for all students in Hill areas who are enrolled in Noon Meal programme (Standard 1-8).”



WP(MD). No.172 of 2023

5. A perusal of the above would go to show that the Government is providing all the schemes not only to the Government schools but also to the aided schools.

6. Since the schemes have already been implemented in the Government and aided schools, the prayer in the writ petition has become infructuous. At this juncture, the learned counsel for the petitioner would submit that G.O.Ms.No.148 empowered to start English medium schools in the Government Schools. According to the petitioner, the said benefit ought to have been extended to the petitioner institution. It is made clear that it is for the management to take a decision to have the medium of teaching either in Tamil or in English and for English medium classes, an application to be made to the authorities concerned.

7. Accordingly, the writ petition is closed. No costs.

01.12.2025

RR



WP(MD). No.172 of 2023

TO

1. The Additional Chief Secretary to Government
Finance Department Secretariat Fort St.George
Chennai-600009.

2. The Secretary to Government
Human Resources Management Department
Secretariat Fort St.George Chennai-600009.

3. The Secretary to Government
Social Welfare and Women Empowerment Department
Secretariat Fort St.George Chennai-600009.

4. The Principal Secretary to Government
School Education Department
Secretariat Fort St.George
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WP(MD). No.172 of 2023

KRISHNAN RAMASAMY, J

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