



WEB COPY

W.A.No.3273 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2026

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.A.No.3273 of 2023
and
C.M.P.No.26681 of 2023

Minor K.Jaki Suganeshwaran
Rep. by his Father and Natural Guardian
J.Kamalakannan,
No.335, Mariyamman Kovil Street,
Panikkakuppam, Panruti,
Cuddalore – 607 106.

...Appellant

Vs.

- 1.The District Collector,
District Collectorate,
Cuddalore – 607 001.
- 2.The Chief Education Officer,
CEO Office,
Cuddalore – 607 001.
- 3.The District Educational Officer,
District Education Officer,
Government Hr. Sec. School, GF
Pennai Aaru Road, Manjakuppam,
Cuddalore – 607 001.
- 4.The Head Master,
Government Higher Secondary School,
Kattupalayam, Vellakarai,
Cuddalore – 607 001.



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5. The Head Master,
Seventh Day Adventist School,
Kamarajar Nagar, Panruti,
Cuddalore – 607 106.

...Respondents

PRAYER: The Writ Appeal filed under Clause 15 of the Letters Patent praying to set aside the order made in W.P.No.8081 of 2023 dated 16.03.2023 and allow the Writ Appeal.

For Appellant : Ms.R.Reni Agnel

For Respondents : Mr.K.H.Ravi Kumar,
Govt. Advocate for R1 to R4

Dr.Father Xavier Arul Raj,
Senior Counsel
for M/s. Father Xavier Associates
and Mrs.Arul Mary for R5

J U D G M E N T

(Judgment of the Court was delivered by S.M.SUBRAMANIAM, J.)

The present intra-Court appeal came to be instituted to assail the Writ order dated 16.03.2023 passed in W.P.No.8081 of 2023.

2. The grievance of the appellant is that admission to LKG in 5th respondent School had been denied on flimsy grounds, despite the fact that 25% of the seats are to be allotted by the Schools in accordance with the



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provisions of the Right to Education Act, 2009 and Rules as well as the guidelines issued by the Government in G.O.(Ms).No.66, School Education (PL2) Department dated 07.04.2017.

3. The learned Government Advocate would submit that as per the guidelines issued by the Government, the child must reside within a radius of 1 Km from the School in the which admission is sought for. However, in the present case, the appellant along with his parents are residing 5 Kms away from the 5th respondent School. Therefore, on merits his case was not considered for admission under the free quota.

4. The written instructions given by the District Education Officer, Cuddalore would show that the appellant was admitted in another School viz., R.C. Government aided School and he is pursuing his II Standard as of now.

5. The Writ Petition was filed in the year 2023, when admission was sought for LKG and now the appellant is pursuing II Standard and continuing in R.C. Government aided School. That being the factum, this Court is not inclined to disturb the education of the minor appellant. That apart, the distance criteria was taken into consideration for denying admission to the appellant in the 5th respondent School, which cannot be found fault with.



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6. For all these reasons, this Writ Petition is **dismissed**. No costs.

Consequently, the connected miscellaneous petition is closed.

(S.M.S., J.) (C.K., J.)
06.02.2026

dsa
Index :Yes/No
Neutral Citation :Yes/No
Speaking/Non-speaking order



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