

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2024

CORAM

**THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM  
and  
THE HONOURABLE MR. JUSTICE C.KUMARAPPAN**

W.P.No.19030 of 2024

Suo Motu Writ Petition

**Vs.**

1. The Chief Secretary,  
Government Of Tamil Nadu,  
Secretariat, Chennai -9.
2. The Secretary to The Government Of India,  
Ministry Of Tribal Affairs,  
Sasthri Bhavan, New Delhi -100 001.
3. The Principal Secretary To Government Of Tamil Nadu,  
Adi Dravidar And Tribal Welfare Department,  
Secretariat, Fort St. George, Chennai -9.
4. The Director General Of Police,  
Mylapore, Chennai -4.
5. The District Collector,  
Kallakurichi District,  
Kallakurichi.
6. The District Collector,  
Slem District, Salem.

7. The Superintendent Of Police,  
Kallakurichi District,  
Kallakurichi.

8. The Superintendent Of Police,  
Salem District, Salem.

... Respondents

**Prayer :-** Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, Directing the respondents to take immediate steps and measures to ensure the people in an around the Kalvaryan Hills for the requirement of basic facilities and welfare scheme for social upliftment, and to promote with special care of the educational and economic interest of the weaker sections of the people and in particular of the scheduled castes and scheduled Tribes as Constitutional Priority to provide schools, roads, hospitals, transport facilities police station and their employment opportunity and all comprehensive measures expeditiously and to file a status report before this Hon'ble Court within the time stipulated by this Honourable Court

For Respondents : Mr.P.S.Raman, Advocate General  
assisted by  
Mr.T.Chandra Sekaran,  
Special Government Pleader  
(for R1 & R3 to R8);

: Mr.K.Srinivasa Murthy (for R2);

Amicus Curiae : Mr.K.R.Tamil Mani, Senior Advocate

**ORDER**

*(Order of the Court was delivered by S.M.Subramaniam J.)*

Learned Advocate General Mr.P.S.Raman would submit that actions are initiated to conduct thorough inspections in Kalvarayan Hills. The status report filed by the 3<sup>rd</sup> respondent Principal Secretary to Government, Adi Dravidar and Tribal Welfare Department, in our opinion is insufficient and is not the ground reality as projected by the learned Amicus Curiae. The money spent on the locality of Kalvarayan Hills and the details furnished in the status report itself raises a doubt, whether the money spent has been utilised properly for the benefit and upliftment of the people in that locality. We are not completely satisfied with the status report filed by the Principal Secretary to Government, Adi Dravidar and Tribal Welfare Department.

2. We have discussed several issues with the learned Advocate General and the learned Advocate General has taken note of and submitted that he will appraise the authorities to conduct thorough inspections and find out the ground reality in Kalvarayan Hills.

3. It is brought to the notice of this Court that Government Schools are functioning in that locality in the name of “Government Tribal Residential School”. The usage of the term “Tribal” along with the name of the Government School is unwarranted. Such usage of word “Tribal” in School's name, undoubtedly would result in stigmatising the children studying in Schools. They will get the feeling that they are studying in a “Tribal School” and not in a School on par with the other children in nearby localities. Stigmatisation of children at no circumstances be approved by the Courts and by the Government. Wherever such names are used indicating a particular community / caste are to be removed and the Schools must be named as “Government School” and children residing in that locality must be granted admission in the School to pursue their education.

4. This Court would ask a question. If the Government School is named as “Tribal School”, then what would be the impact in the society. It is painful that even in the 21<sup>st</sup> century the Government is allowing to use such words in the Government Schools, functioning from and out of public money.

5. The State of Tamil Nadu, being a fore runner State in social justice, cannot allow such stigmatic words be added as “prefixes” or “suffixes” in the name of the Government Schools or any Government institutions. In this regard, the first respondent Chief Secretary to Government of Tamil Nadu have to initiate appropriate action.

6. The learned Amicus Curiae, Mr.K.R.Tamilmani would submit that the senior officials, before conducting inspection, may look into the report submitted by him along with visuals in the pen drive, so as to understand the ground reality as observed by the learned Amicus Curiae.

7. The present suo motu writ petition has been instituted by this Bench, numbered by the Registry with the permission of the Hon'ble Acting Chief Justice and thereafter, posted and hearings are in progress. The socio-economic development in Kalvarayan Hills and the actions taken by the Government are monitored by this Bench with the assistance of the learned Advocate General. That being so, the Registry is directed to place the papers before the Hon'ble Acting Chief Justice for passing appropriate orders to list the matter before this Bench.

8. Post the matter on 02.08.2024.

(S.M.S.J.,)

(C.K.J.,)

26.07.2024

Index : Yes/No

Speaking order/Non-Speaking order

Neutral Citation : Yes/No

(sha)

To

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**S.M.SUBRAMANIAM, J.**

**and**

**C.KUMARAPPAN, J.**

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