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W.P.No.30424 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.10.2024

CORAM :

THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.30424 of 2024

MAHALINGAM BALAJI

.. Petitioner-in
Person

Vs

- 1.THE SECRETARY,
MINISTRY OF EDUCATION,
SHASTRI BHAWAN,
DR RAJENDRA PRASAD ROAD,
NEW DELHI - 110 001.
- 2.THE DIRECTOR,
NATIONAL COUNCIL OF EDUCATIONAL
RESEARCH AND TRANINING (NCERT),
SRI AUROBINDO MARG,
NEW DELHI - 110 016.
- 3.THE SECRETARY,
DEPARTMENT OF SCHOOL EDUCATION,
GOVERNMENT OF TAMIL NADU,
SECRETARIAT, CHENNAI - 600 009.



W.P.No.30424 of 2024

WEB COPY

4. THE DIRECTOR,
TAMIL NADU TEXT BOOK AND
EDUCATIONAL SERVICES CORPORATION,
E V K SAMPATH MALIGAI,
D P I CAMPUS, NO.68, COLLEGE ROAD,
CHENNAI 600 006.

5. THE DIRECTOR,
STATE COUNCIL OF EDUCATION
RESEARCH AND TRAINING (SCERT),
COLLEGE ROAD, DPI CAMPUS,
CHENNAI 600 006.

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to stop propagating the Aryan/Dravidian race theory, particularly among student community, and tender an apology to the general public.

For Petitioner : Mr.Mahalingam Balaji
Party-in-person

For Respondents : Mr.Rajesh Vivekananthan
Deputy Solicitor General
for respondents 1 and 2

: Mr.J.Ravindran
Additional Advocate General
assisted by Ms.Maithily
Additional Government Pleader
for 3rd respondent



WEB COPY



W.P.No.30424 of 2024

: Mr.A.Edwin Prabakar
State Government Pleader
assisted by Mr.T.K.Saravanan
Government Advocate
for respondent 4 and 5

ORDER

(Order of the Court was made
by SENTHILKUMAR RAMAMOORTHY,J.)

The petitioner canvasses a grievance that educational authorities are propagating the false theory that there are two races, i.e., Aryan and Dravidian, and that this is promoting divisiveness among the people. The party-in-person relies upon the writings of various scholars to contend that this two-race theory is false and would cause substantial harm to impressionable minds.

2. Mr.J.Ravindran, learned Additional Advocate General, accepts notice on behalf of respondent No.3. He submits that a Syllabus Committee has been set up and that the syllabus is decided based on inputs received from experts in the respective fields. If the petitioner submits a representation to the fifth respondent, he states that it would be considered and disposed of within a reasonable time limit.



W.P.No.30424 of 2024

WEB COPY

4. Mr.Rajesh Vivekananthan, learned Deputy Solicitor General, who accepts notice on behalf of respondent Nos.1 and 2, makes a similar submission and states that such representation should be submitted by the petitioner to the second respondent.

5. The court is not an expert in history or the origin of races. The relief requested for by the petitioner cannot be granted by this court without examining and deciding whether the two-race theory, which the petitioner claims to be false, is valid or invalid. It is appropriate that this determination be made by experts in the field, and not by the court.

6. Consequently, without examining or making any observations on the merits of the assertions made in the petition, we direct respondents 2 and 5 to treat the writ petition as a representation sent to them. Respondents 2 and 5 shall consider the grievance ventilated by the petitioner in the writ petition and dispose of the same within 12 weeks, after providing a reasonable opportunity to the petitioner, including by way



W.P.No.30424 of 2024

of personal hearing.
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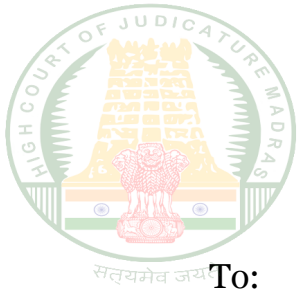
7. The writ petition is disposed of accordingly. There shall be no order as to costs.

(K.R.SHRIRAM, C.J.)

(SENTHILKUMAR RAMAMOORTHY, J.)

24.10.2024

Index : Yes/No
NC : Yes/No
sasi



W.P.No.30424 of 2024

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WEB COPY

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W.P.No.30424 of 2024

THE HON'BLE CHIEF JUSTICE
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W.P.No.30424 of 2024

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Page 7 of 7