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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.01.2026**

CORAM:

THE HONOURABLE **DR.JUSTICE G. JAYACHANDRAN**
AND
THE HONOURABLE **MR.JUSTICE K.K. RAMAKRISHNAN**

W.P.(MD)No.29474 of 2025
and
W.M.P.(MD)Nos.22797, 22798 and 22799 of 2025

Ameer Alam

... Petitioner

Vs.

1.The Government of Tamilnadu,
Rep.by Secretary to Government,
Education Department,
Fort St.George,
Chennai.

2.The Director,
Department of Children Welfare and Special
Services,
Old No.153, New No.300,
Purasawalkam High Road,
Kellys, Chennai-600 010.

3.The Member Secretary,
Model School, Tamilnadu,
Education Department,
Fort St.George,
Chennai.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records



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pertaining to the impugned order passed by the third respondent in Na.Ka.No.960/L1/CG/-64/MS/2025, dated 04.09.2025 and quash the same as illegal in respect of Annexure-2, S.No.3, 4 and 5 and consequently direct the respondents to reconsider the criteria for data collection from students confidentially, without affecting their social environment.

For Petitioner : Mr.M.Aboobacker Siddik
For Respondents : Mr.P.Thilakkumar (R1 and R2)
Government Pleader
Ms.Kavitha Deenadhayalan (R3)

ORDER

(Order of the Court was made by **DR.G.JAYACHANDRAN, J.**)

The writ petition is filed as Public Interest Litigation being aggrieved by the manner in which certain sensitive datas from the students from 9th to 12th standard, are sought to be collected from the Member Secretary, Model School, Tamilnadu Education Department, vide proceedings dated 04.09.2025.

2.The counter affidavit has been filed by the third respondent justifying the reasons for collecting data.

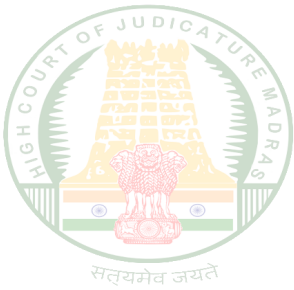


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3. On the earlier occasion, when the matter came up for consideration, the learned counsel for the Model School by name, Kavitha Dheenadhayalan appeared through video conference, but her voice was not audible. Therefore, the Court directed her to appear before the Court in person and explain regarding the necessary aspect of the administration of the Model School.

4. However, when the matter is listed today, the learned counsel, again appeared only through Video Conference and for substantial time, her voice was not audible. Further, she was unable to explain purpose for which such information is sought from the vulnerable section of students, except stating that these information are not collected in public and the information collected are well secured. The purpose, for which these information are collected from the students of the Model School, was not explained in the counter affidavit. The impugned proceedings of the Principal Secretary indicates that these information are collected to show some special attention on the students suffering from the following stigmas:

- “1. Students With Both Parents Not Alive
2. Student With Single Parent Alive



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3. Student from Refugee Backgrounds
4. Student in Conflict with Law
5. Children of Parents who are prisoner
6. Student from Nomadic and Gypsy Communities
7. Student with Special Needs
8. Student who have Parents/Dependents with Special Needs
9. Student from Urban Tenements
10. Student with Separated or Divorced Parents / Student living with extended family though both parents are alive
11. Wards of Sanitary Workers
12. Student Who Are Dependents of Terminally ill (Parents/Siblings)
13. Migrant Student from Other States
14. Students with Gender Non-Conformity Issues
15. Student from SC/SCA Community
16. Student from ST Community
17. First Generation Graduate
18. Student Involved in Co-Curricular Activities
19. Student with Parents from Fishing background or Fishing occupation
20. Children in / in need of care and protection
21. Student who is a survivor of abuse and violence
22. Student with history of substance abuse
23. Student from areas needing more support
24. Student whose parents are folklore artists
25. Doesn't belong to any of the above category”

5.It is not explained as to what is the special attention that is are going to show to the students. The information are very sensitive and



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manner in which they are going to collect, will necessarily traverse into the privacy of the young students. The third respondent claims that as *parens patriae*, they need to document these information. The Teachers are requested to collect the data and forward it through EMIS website as per the demo video annexed to the impugned order.

6.The data sought to be collected as well as the manner in which, it is to be documented, in our view is absolutely in violation of privacy and such information sought to be collected from the students, who are pursuing their studies in Model School run by the Government, is clear discrimination and ill-treatment of the students of the Model School and contrary to the judgment of the Hon'ble Supreme Court in the case of Justice ***K.S.Puttaswamy (Retd.) and another vs. Union of India and others [AIR 2017 SC 4161]***, wherein it has been held as follows:

“ ...

3.Privacy is a constitutionally protected right which emerges primarily from the guarantee of life and personal liberty in Article 21 of the Constitution. Elements of privacy also arise in varying contexts from the other facets of freedom and dignity recognised and guaranteed by the fundamental rights contained in Part III;

....



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6. Privacy includes at its core the preservation of personal intimacies, the sanctity of family life, marriage, procreation, the home and sexual orientation. Privacy also connotes a right to be left alone. Privacy safeguards individual autonomy and recognises the ability of the individual to control vital aspects of his or her life. Personal choices governing a way of life are intrinsic to privacy. Privacy protects heterogeneity and recognises the plurality and diversity of our culture. While the legitimate expectation of privacy may vary from the intimate zone to the private zone and from the private to the public arenas, it is important to underscore that privacy is not lost or surrendered merely because the individual is in a public place. Privacy attaches to the person since it is an essential facet of the dignity of the human being;”

7. This Court finds that it is an absolute abuse of power to demoralise the students, who have stigmatic background. Hence, the impugned order stands quashed and this writ petition is allowed. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

[G.J., J.] & [K.K.R.K., J.]
05.01.2026

Index : Yes/No
Internet : Yes
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AND
K.K. RAMAKRISHNAN, J.

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