

W.P.(MD)No.17018 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.08.2026

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THE HONOURABLE MR.JUSTICE **C.V. KARTHIKEYAN**

and

THE HONOURABLE MR.JUSTICE **R.SAKTHIVEL**

W.P.(MD)No.17018 of 2026

N.Vikraman

... Petitioner

vs.

1.The State of Tamil Nadu,
represented by its Chief Secretary,
Fort St. George, Chennai - 600 009.

2.The Principal Secretary to Government,
Higher Education Department,
Fort St.George, Chennai - 600 009.

3.The Principal Secretary to Government,
School Education Department,
Fort St.George, Chennai - 600 009.

4.The Principal Secretary to Government,
Labour and Employment Department,
Fort St.George, Chennai - 600 009.

5.The Secretary,
University Grants Commission (UGC),
New Delhi - 110 002.



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6.The Chairman,
All India Council For Technical Education (AICTE),
New Delhi - 11007.

... Respondents

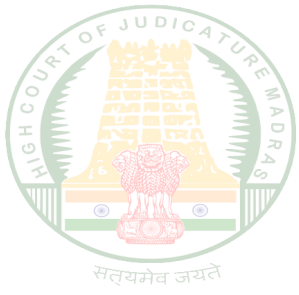
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the Respondents to prohibit private educational institutions and private employers within Tamil Nadu from mandatorily collecting caste or community details in application forms unless specifically required under statutory provisions, (b) to direct the Respondents to frame appropriate regulatory measures ensuring anti discrimination safeguards in private institutions.

For Petitioner	:Mr.N.Vikraman (Party-in-peson)
For R1 to R4	:Mr.K.K.Udayakumar
	Government Advocate (Crl.side)

ORDER

(Order of the Court was made by **C.V. KARTHIKEYAN, J.**)

The Writ Petition had been filed in the nature of a Mandamus seeking a direction against respondents to prohibit private educational institutions and private employers within Tamil Nadu from collecting caste or community details mandatorily in application forms except specifically required under certain statutory provisions.

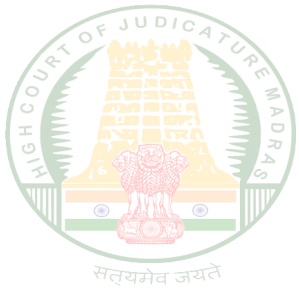


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2.The same issue had come up for consideration before the Principal Seat in ***W.P.No.18488 of 2016*** in the case of ***G.Balakrishnan - vs.-State of Tamil Nadu represented by Secretary to Government, Higher Education Department, Chennai and another***, wherein the relief sought was as follows:

“Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus (a) directing the respondents to issue appropriate instructions to the authorities in the Higher and School Education Departments to take prompt steps to implement the G.O.Ms.No.205 dated 31.07.2000 of the School Education (C-2) Department by issuing appropriate directions to the Educational Institutions coming under their respective jurisdictions regarding the right of the parents/wards not to be compelled to declare their religion/caste while seeking admission into the educational institutions and permit such persons to mention as “No Religion” and “No Caste” against the respective columns; (b) directing the respondents to issue appropriate instructions to all the Educational institutions in the State directing not to mention the religion/caste of the student in the Transfer Certificate issued by the educational institution concerned, based on the petitioner's representation dated 05.05.2016 within a time frame fixed by this Court.”



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3.The Division Bench in that case, had held as follows:

“With the avowed object of having a classless society, the State Government issued the following Government Order on 31.07.2000, as under:-

GOVERNMENT OF TAMIL NADU

ABSTRACT

Primary Education – Conferring of right to those who do not wish to mention religion and caste in school certificate – Orders issued.

SCHOOL EDUCATION (C2) DEPARTMENT

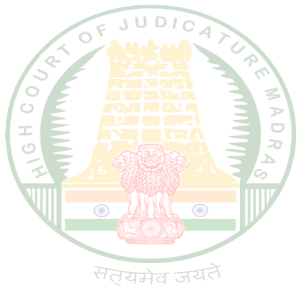
G.O.Ms.No.205

Date: 31.07.2000

Read: G.O.Ms.1210 of Education Department dated 02.07.1973

ORDER:

In the G.O. read above, it has already been instructed to the Director of School Education that those who wish not to mention their religion or caste in the Secondary School Leaving Certificate and Transfer Certificate be permitted to mention 'No Religion, 'No Caste' against those columns or leave the columns blank. As it has come to notice that this is not being duly followed, the Director of School Education and



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the Director of Primary Education are instructed to scrupulously follow the instructions contained in the said G.O. in future as well. It is also ordered that further, while seeking admission or at any other time, when the parents do not wish or unable to disclose the religion and caste, the same need not be insisted upon.

/By the order of the Governor/

M.A.GOWRISANKAR

Secretary to Government.

To

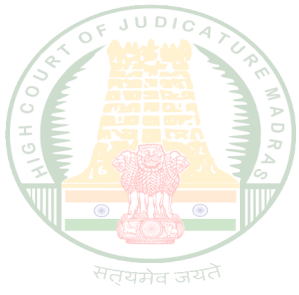
The Director of Primary Education, Chennai-6.

The Director of School Education, Chennai-6.

2. The learned counsel appearing for the petitioner submits that this Government Order is observed in breach and needs to be reemphasised.

3. We are in agreement with the submission of the learned counsel for the petitioner and thus direct the respondents to circulate the Government Order giving wide publicity, so that such persons who do not want to declare their caste or religion are not compelled to do so.

4. In so far as the Transfer Certificate is concerned, we cannot issue a mandatory direction that caste should not be disclosed because some people may want to do so. However, if



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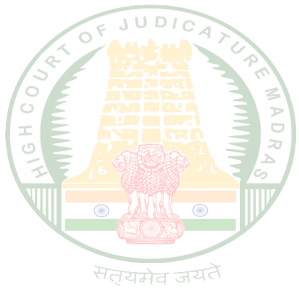
any person does not want the caste to be disclosed, we feel there is no need to mandatorily to do so, keeping in mind the aforesaid Government Order.

5. The writ petition, accordingly, stands disposed of. No costs.

4.It is also informed that the Government had passed G.O.Ms.No. 205, School Education Department, dated 31.07.2000, in which it had been stated as follows:

“ஆணை

பார்வையில் காணும் அரசாணையில் இடைநிலைப் பள்ளிச் சான்றிதழ் மற்றும் மாற்றல் சான்றிதழ் ஆகியவற்றில் சாதி இல்லை, சமயம் இல்லை என்று குறிப்பிடவோ, அந்த இரு பத்திகளுக்கும் எதிராக இடத்தைக் காலியாக விடவோ எவரும் விரும்பினால் அவ்வாறே செய்யும் உரிமையை, அவருக்கு அளிக்கலாம் என பள்ளிக் கல்வி இயக்குநருக்கு ஏற்கனவே அறிவுறுத்தப்பட்டது. ஆனால் இம்முறை சரியாக கடைபிடிக்கப்படவில்லை என்று அறியப்படுவதால், அரசாணையில் தெரிவித்துள்ளதை இனிவரும் காலங்களிலும் கடைபிடிக்குமாறு பள்ளிக்கல்வி இயக்குநர் மற்றும் தொடக்கக்கல்வி இயக்குநர் அறிவுறுத்தப்படுகிறார்கள். மேலும் பள்ளியில் சேரும்போதும் மற்ற சமயங்களிலும் பெற்றோர் விருப்பப்படாவிட்டாலும், தெரிவிக்க இயலாவிட்டாலும், சாதி, சமய குறிப்பு தேவையில்லை எனவும் ஆணையிடப்படுகிறது.”



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5.The learned Counsel for the petitioner has stated that if the caste is not mentioned, then the candidate would be discriminated and action would be taken.

6.But however, we issue a direction now that no private education institution or private employer within Tamil Nadu can mandatorily collect caste details.

7.In view of the above, no further directions are issued except the aforementioned. The Writ Petition stands disposed of accordingly. No costs.

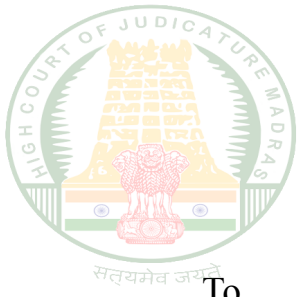
[C.V.K, J.]

[R.S.V, J.]

31.08.2026

Index :Yes / No
Internet :Yes / No
NCC :Yes / No

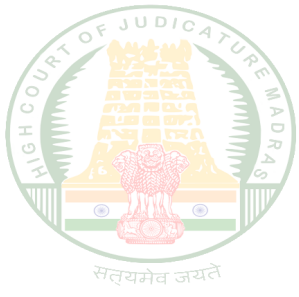
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