

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE MR. JUSTICE RAJA VIJAYARAGHAVAN V
Tuesday, the 24th day of August 2021 / 2nd Bhadra, 1943
WP(C) NO. 17105 OF 2021(K)

PETITIONERS:

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- 6.

7. DHISHA REPRESENTED BY ITS PRESIDENT, DINU K., S/O.DASAN K., AGED 25 YEARS, DHISHA (REG.NO.MPM/CA/294/2015).

RESPONDENTS:

1. THE PRINCIPAL SECRETARY, LOCAL SELF GOVERNMENT DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695 001.
2. DIRECTOR, GENERAL EDUCATION DEPARTMENT, POOJAPPURA JUNCTION, THIRUVANANTHAPURAM - 695014.
3. THE PRINCIPAL SECRETARY, SCHEDULED TRIBES DEVELOPMENT DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695 001.
4. THE PRINCIPAL SECRETARY, SCHEDULED CASTES DEVELOPMENT DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695001.
5. DISTRICT EDUCATIONAL OFFICE, KANJIRAPPALLY, PONKUNNAM P.O., CHIRAKKADAVU, KOTTAYAM DISTRICT - 686 506.
6. DISTRICT COLLECTOR, CIVIL STATION, KOTTAYAM - 686002.
7. DISTRICT EDUCATIONAL OFFICE, PALACE ROAD, THRISSUR - 680 020.
8. DISTRICT COLLECTOR, CIVIL STATION, AYYANTHOLE, THRISSUR - 680 003.
9. DISTRICT COLLECTOR, CIVIL STATION, ALAPPUZHA - 688 001.
10. THE CHIEF SECRETARY, STATE OF KERALA, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695001.

Writ petition (civil) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to issue a direction to the respondents to take urgent steps to impart education to the petitioners 1 to 6, pending disposal of the Writ Petition.

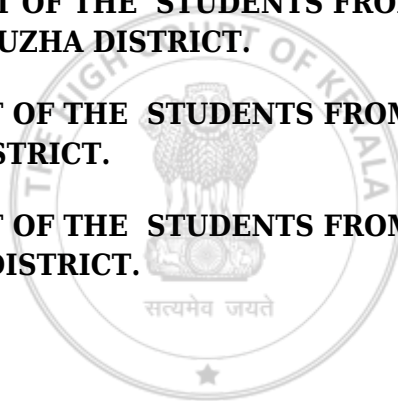
This petition coming on for admission upon perusing the petition and the affidavit filed in support of WP(C) and upon hearing the arguments of M/S.P.K.SANTHAMMA & AVINASH K.KRISHNAN Advocates for the petitioners and of SMT. LATHA T. THANKAPPAN, SENIOR GOVERNMENT PLEADER for respondents (B/o.), the court passed the following:-

EXT.P1. THE COPY OF THE LIST OF STUDENTS FROM GHS, KOOVAKKAVU MUKKADA, WHO DO NOT HAVE ON LINE FACILITY.

EXT.P2. THE COPY OF THE LIST OF THE STUDENTS FROM DIFFERENT SCHOOLS AT CHERTHALA, VAYALAR, ALAPPUZHA DISTRICT.

EXT.P3.THE COPY OF THE LIST OF THE STUDENTS FROM DIFFERENT SCHOOLS OF CHELLANAM, ERNAKULAM DISTRICT.

EXT.P4.THE COPY OF THE LIST OF THE STUDENTS FROM DIFFERENT SCHOOLS AND OORU OF PATHANAMTHITTA DISTRICT.



RAJA VIJAYARAGHAVAN V, J.

W.P.(C) No.17105 of 2021

Dated this the 24th day of August 2021

ORDER

Smt.Latha T. Thankappan, the learned Senior Government Pleader takes notice of the respondents.

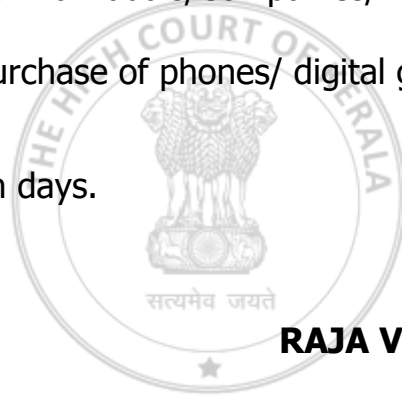
2. The petitioners herein are primary school students who have approached this Court through their parents complaining that they have no digital facilities at their houses to enable them to pursue education, which is now being conducted online. The petitioners contend that 1000's of students like them of the Economically weaker Sections and Disadvantaged groups do not have access to smartphones, laptops, or for that matter an internet connection to enable them to effectively participate in the online classes. The petitioners highlight that they have the right to free and compulsory education which has been elevated to a constitutional right under Article 21A of the Constitution. Reliance is also placed on the provisions of Act 35 of 2009 to bolster their contentions.

3. It appears that the petitioners have filed Exhibits P1 to P4 list of students who have no access to digital gadgets or facilities.

4. The learned Government Pleader shall get specific instructions as to the steps taken by the respondents to ensure that the petitioners are not sidelined by the digital divide and they are also able to pursue education like other children who have access to such gadgets.

5. Respondents 1,2 and 10 shall look into the grievances projected by the students in this Writ Petition and shall inform this Court of the prospects of putting up a website with the assistance of the Kerala State IT mission where schools/needful students could get themselves registered so that individuals/Companies/NRI's/NGO's could voluntarily contribute to the purchase of phones/ digital gadgets or supply them.

Post after ten days.



Sd/-

**RAJA VIJAYARAGHAVAN V,
JUDGE**

DSV/24.8.21