

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.07.2015

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THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.17558 of 2015

And

M.P.No.1 of 2015

S.S.Shrinidhi
Represented through her
Father and natural Guardian
Dr.R.Srikanth

... Petitioner

Vs.

1. The Director of Government Examinations
DPI Campus College Road
Chennai - 600 006.
2. The Director of School Education
DPI Campus College Road
Chennai - 600 006.
3. The Secretary
Selection Committee
Directorate of Medical Education
No.162 Periyar EVR High Road
Kilpauk Chennai - 600 010.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st and 2nd respondents to give 1 mark to the petitioner in respect of the 1st Part of the Question No.37 in the Subject Zoology in the Higher Secondary Examination conducted by the 1st and 2nd respondents for the Academic year 2015 -2016.

For Petitioner : Mr.V.M.G.Ramakkannan

For Respondents : Mrs.P.Rajalakshmi
Government Advocate

O R D E R

The petitioner would state that she has passed the Higher Secondary Examination for the academic year 2014-15 and secured total marks of 1156 out of 1200 and in three subjects she has scored 190 marks out of 200 in physics, 192 out of 200 in chemistry, 198 out of 200 in biology at an average of 193.33%. The claim of the petitioner is that, she should have been given one more mark in the subject of Biology and in that event, she would have obtained 199 marks out of 200 in biology which would have brightened her chance in getting admission in MBBS course in any one of the Government medical colleges. The grievance expressed by the petitioner is that though the first respondent has given question paper design blue print and model question paper in respect of zoology subject for the +2 standard, the framing of the question paper is not in consonance with the above said mandatory guideline and therefore, she has been deprived of the mark which would have enabled her to get merits.

2.Mr.V.M.G.Ramakkannan, learned counsel appearing for the petitioner has drawn the attention of this Court to the above said guidelines issued by the first respondent and would submit, as per the said guideline, the 10 mark question may be considered as straight single question or it may be split up into two 5 mark questions and contrary to the guideline, question no.37 has been framed and hence prays for appropriate orders.

3.Per contra, learned Government Advocate on instructions would submit that the blue print given by the first respondent is only a guideline to the students on allotment of marks and type of conclusion that can be expected from a question and the questions have been framed strictly in accordance with the above said guideline only and there is no violation of the blue print and model question paper published by the first respondent and prays for dismissal of the writ petition.

4.This Court has carefully considered the rival submissions and also perused the materials placed before it.

5.As rightly contented by the learned Government Advocate, blue print, question paper design and model question paper issued by the first respondent is only a guideline and the discretion is also been given to the framers of the question paper to frame a question which require the awarding of 10 marks either a straight single question or split up into two of five marks question and question no.37 consists only two components of five marks each.

6.However, taking into consideration the grievance expressed by the petitioner as well as the students similarly placed, the framers of the question paper shall make every endeavour to frame a question which require straight answer and avoid any inconsistency between the key answer and the textbook version. It is also to be pointed out at this juncture, the passing of Higher Secondary Examination by a student, is an important step towards future career and the fate of the students is being decided on decimal and therefore, the respondent shall make every endeavour to take into consideration the said aspect and act accordingly.

7.The writ petition is dismissed subject to the above said observations. No costs. Consequently, the connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1. The Director of Government Examinations
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Chennai - 600 006.
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3. The Secretary
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+1cc to the Government Pleader, S.R.No.38390

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And

M.P.No.1 of 2015

GGK(CO)
CA(11/09/2015)