

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 15.12.2015

Coram

The Honourable Mr. Justice M.M.SUNDRESH

W.P.No.34224 of 2014

K.Clinton

... Petitioner

Vs.

1 The Deputy Commissioner
Kendriya Vidyalaya Sangathan Regional
Office IIT Campus Madras-36.

2 The Assistant Commissioner
Kendriya Vidyalaya Sangathan Regional
Office IIT Campus Madras-36.

3 The Principal
Kendriya Vidyalaya Air Force Station Sulur
Coimbatore-641401

... Respondents

Prayer: This writ petition is filed under Article 226 of Constitution of India, seeking a writ of certiorarified mandamus Calling for the records pertaining to the proceedings in F.17065/WP. No.15041/14-KVS (CHER) dated 20.11.2014 on the file of the 2nd respondent and quash the same as illegal and consequently direct the 1st respondent to take appropriate and immediate action on the petitioner representation dated 26.05.2014.

For Petitioner : Mr. R.Jayaprakash
For R1 to R3 : Mr.M.Vaidyanathan

ORDER

The petitioner was studying in Class XI in the third respondent school. The petitioner could not pass the examination conducted in the month of March 2014 in the subject of Informatics Practices as he secured only 17 out of 70. He was given an opportunity to write supplementary examination in April, 2014 where he secured only 20 out of 70. Thereafter, the petitioner filed writ petition and in pursuant to the direction issued by this Court in W.P.No.15041 of 2014, the order impugned has been passed. Challenging the said order, the present writ petition has been filed.

2. The learned counsel for the petitioner submitted that marks have not been allotted to the petitioner though there is no material to come to a conclusion that the petitioner has copied. Therefore, the impugned order has to be set aside.

<https://hcservices.ecourts.gov.in/hcservices/>

3. The learned counsel for the respondents submitted that though it was found that answer sheet of the petitioner is

verbatim as that of Balakrishnan, no marks have been reduced. Both the said Balakrishnan and the petitioner have been awarded same marks for the same question. The respondent No.3, namely, the Principal of the School invited the parents of the petitioner and showed the answer script and demonstrated that there is no scope for adding more marks to promote the petitioner. In the absence of malafides established, no interference is required.

4. In academic matters, this Court has got a very little role to play. The petitioner's performance was found to be not satisfactory. He failed in his first attempt by scoring 17 out of 70. It was improved marginally by 3 marks in the supplementary examination. No marks have been reduced though it was found that answer script of the petitioner is exact copy of one belonging to Balakrishnan. The petitioner's mark sheet was also produced by respondent No.3 to the parents of the petitioner and explained.

5. In such a view of the matter, this Court does not find any reason to interfere with the order impugned. Hence, the writ petition is dismissed. No costs.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

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To

- 1 The Deputy Commissioner
Kendriya Vidyalaya Sangathan Regional
Office IIT Campus Madras-36.
- 2 The Assistant Commissioner
Kendriya Vidyalaya Sangathan Regional
Office IIT Campus Madras-36.
- 3 The Principal
Kendriya Vidyalaya Air Force Station Suler
Coimbatore-641401

1 cc to Mr.M.Vaidyanathan, Advocate, Sr. 68056

+ 1 cc to Mr. R.Jayaprakash, Advocate Sr 67466 (21/1/16)

W.P.No.34224 of 2014

RV (CO)

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