

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.02.2015

Coram:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

Writ Petition No. 3002 of 2015 and  
M.P.Nos.1 and 2 of 2015

Minor Ashok  
represented by his father  
and Natural Guardian M.Ramachandran

.. Petitioner

Vs

1. The Chairman,  
Central Board of Secondary Education  
Plot No.482, F.I.E.E.,  
Industrial Area, Patparganj,  
Newdelhi - 110 092

2. The Regional Director,  
Regional Office,  
Central Board of Secondary Education,  
Plot No.1630 - A, J Block,  
15<sup>th</sup> Road, Annanagar (W)  
Chennai - 600 006

3. The Director of School Education,  
DPI Campus, College Road,  
Chennai - 600 006

4. The Chief Educational officer,  
Villupuram District, Villupuram.

5. The Principal,  
Sri Vidhya Mandir Higher Secondary School,  
Sri Vidya Nagar, Kabalipuram,  
Sandapet, Thirukoilur - 605 757  
Villupuram District

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus to call for the records relating to the Impugned order dated 29.01.2015 passed by the 5<sup>th</sup> respondent issuing a transfer certificate as discontinue of studies of the petitioner and to quash the same and consequently direct the 5<sup>th</sup> respondent to permit the petitioner to complete the higher secondary course.

For Petitioner :Mr.C.Prabakaran

For Respondents: Mr.G.Nagarajan for R1 and R2  
Ms.P.Rajalakshmi for R3 and R4  
Government Advocate

#### O R D E R

Heard Mr.C.Prabakaran, learned counsel for the petitioner and Mr.G.Nagarajan, learned counsel for first and second respondents and Ms.P.Rajalakshmi, learned Government Advocate for third and fourth respondents.

2. When the case came up for hearing on 05.02.2015, this Court directed the learned counsel for the petitioner to serve notice on the respondents. Accordingly, notice has been served and the learned counsel for the respondents have appeared. The principal of the School is also present in the Court and it is submitted that the 5<sup>th</sup> respondent, School will permit the student to write the examination provided the entire school fee payable by the petitioner is paid. It appears that there is some allegation against the petitioner with regard to the thieving of petty material etc., However, this issue need not be gone into, in the light of the stand taken by the fourth and fifth respondents permitting the petitioner to write examination. However, it is pointed out by the learned counsel for CBSE that the centre of examination will be normally a different Institution. Therefore, the 5<sup>th</sup> respondent should have no apprehension at all.

3. Accordingly, there will be a direction to the petitioner to pay the entire fees payable by the petitioner and on payment of such fees, hall ticket will be issued by the 5<sup>th</sup> respondent and the petitioner would be entitled to attend Plus two examination, practical and theory examinations commencing from 14.02.2015. It is made clear that the fees will have to be paid well in advance. It is also made clear that the first and second respondents are not proper necessary party in the Writ Petition, however, in order to assist the Court, the learned counsel for the first and second respondents were directed to accept notice.

With the above observation, this Writ petition is disposed of. Consequently, connected miscellaneous petitions are closed. No costs.

-s/d-

Assistant Registrar(CSII)

Dated:11/2/2015

True Copy

Sub-Assistant Registrar

ssd

To

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Villupuram District

+1 cc to Mr.C.Prabakaran, Advocate sr.6870  
+1 cc to Mr.G.Nagarajan, Advocate sr.6884  
+1 cc to Government Pleader High Court sr.6949

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aa11/2/2015