

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 01.06.2016

CORAM

The Hon'ble Mr.Justice M.Sathyanarayanan

W.P.No.17525 of 2016

Shri S.Makesh Narsimhan

... Petitioner

Vs.

1. The Chief Secretary to Government,
Government of Tamil Nadu,
Fort St.George, Secretariat,
Chennai - 600 009.
2. The Principal Secretary,
School Education Department,
Fort St.George,
Secretariat, Chennai - 600 009.
3. The Director, Government of Examination,
DPI Complex, Chennai - 600 006.
4. The Director, School Education,
DPI Complex, Chennai - 600 006.
5. The Secretary, State Board of School Education
(Higher Secondary)
Department of Government Examination,
DPI Complex, Chennai - 600 006.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking for a Writ of Mandamus, directing the respondents, more particularly, third and fourth respondents to issue a certificate to the petitioner, stating that the total marks obtained by him in XII HSC examination held in March, 2015, stands at 1182 marks after revaluation and that the said marks are equivalent to District Second Rank and that the petitioner is entitled to all attendant benefits that accrue to a District Second Rank Holder.

For Petitioner : Mr.B.Satish Sundar

For Respondents : Mrs.P.Rajalakshmi
Government Advocate

O R D E R

By consent, the Writ Petition is taken up for final disposal.

2. The petitioner would state that in the Higher Secondary Course held during March 2015, for which, the results were published during May, 2015, he secured 1176 marks out of 1200. Since the marks scored by him is not upto his expectation, he applied for revaluation, as a result, the total got increased to 1182, out of 1200, and the Office of the fifth respondent also issued a Higher Secondary School Leave Certificate, certifying that the total marks obtained by the petitioner was 1182, in the examination held in March, 2015. The petitioner, in the interregnum period, got admission to the Course of Bachelor of Engineering in Computer Science in Anna Malai University, Chennai, and according to him, as a result of increased total marks, he was placed second in the list, so far as ranking of candidates belonged to Chennai District is concerned, as a result, he is entitled to scholarship. The petitioner, in this regard, submitted a representation, dated 14.12.2015, to the Chief Educational Officer, Chennai, and he, vide reply, dated 28.12.2015, requested the Director of Government Examination, Chennai, to pass appropriate orders. The petitioner has also sent a legal notice to the Directorate of Government Examination, dated 27.02.2016, who, in response to the said notice, sent a reply, dated 09.03.2016, stating that the power to grant such relief, so to say, to pass orders, vests with the Director of School Education.

3. Mr.B.Satish Sundar, the learned counsel appearing for the petitioner would submit that, admittedly, on account of the mistake committed by the Directorate of Government Examination, the petitioner originally secured 1176 marks, and after revaluation, marks got increased to 1182 out of 1200, as a consequence thereof, he was placed second in the rank list, so far as candidates belonged to Chennai District is concerned, as a result, he is entitled to get scholarship and prays for appropriate orders.

4. Heard the submission of the learned counsel appearing for the petitioner and Mrs.P.Rajalakshmi, learned Government Advocate, accepting notice on behalf of respondents.

5. Thus, in the light of the above facts and circumstances, this Court permits the petitioner to submit one more representation to the fourth respondent/Director of School Education, Chennai-600 006, within a period of two weeks from the date of receipt of a copy of this order, and the fourth respondent, on receipt of the same, is directed to consider the

said representation in accordance with law and afford an opportunity of personal hearing to the petitioner and pass orders within a period of four weeks thereafter, and communicate the decision taken to the petitioner.

6. This Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1. The Chief Secretary to Government,
Government of Tamil Nadu,
Fort St.George, Secretariat,
Chennai - 600 009.
2. The Principal Secretary,
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3. The Director, Government of Examination,
DPI Complex, Chennai - 600 006.
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DPI Complex, Chennai - 600 006.
5. The Secretary, State Board of School Education
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Department of Government Examination,
DPI Complex, Chennai - 600 006.

+1cc to M/S.B.Satish Sundar, Advocate sr.29141
+1cc to the Government pleader Sr.29469

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