

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.08.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.20628/2016

S.Thampidurai

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Petitioner

Vs.

1.The Director

Directorate of Government Examination
Nungambakkam, Chennai 600 006.

2.The Controller of Examination

Directorate of Government Examination
Nungambakkam, Chennai 600 006.

3.The Principal

Kings Matriculation Higher Secondary
School, Madipakkam, Chennai 600 091.

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Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus to direct the respondents to trace out the original Biology answer sheet written by the daughter of the petitioner while appearing in State Board of School Examination, Tamilnadu, March 2016 conducted by the 1st and 2nd respondents forthwith value the traced Answer sheet based on the petitioner's representation dated 09.06.2016 and 13.06.2016.

For Petitioner : Mr.J.Karunanithi

For RR 1 & 2 : Mr.P.Rajalakshmi, GA

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O R D E R

By consent, the writ petition is taken up for final disposal.

2 The petitioner is the father of T.Priya, aged about 16 years and she appeared for the Higher Secondary Course Examination in the 3rd respondent School [Roll No.718204] and secured the following marks:-

S.No.	Subject	Marks
1	Tamil	185
2	English	188
3	Physics	174
4	Chemistry	148
5	Biology	127
6	Mathematics	178
	Total	1000

3 The petitioner would state that since his daughter had secured less marks, he applied for copies of answer scripts pertaining to all subjects and while perusing Biology answer scripts, to his shock and surprise, he found that it was furnished in Tamil language; whereas his daughter had written the said examination in English language and hence, came forward to file this writ petition.

4 The learned counsel for the petitioner would submit that the daughter of the petitioner did not write the Biology paper in Tamil language and that the answer script furnished, is in Tamil language and since something wrong had happened, he prayed for appropriate orders.

5 Per contra, Mrs.P.Rajalakshmi, learned Government Advocate appearing for the respondents 1 and 2 has drawn the attention of this Court to the Counter Affidavit as well as the proceedings of the Joint Director [Re-Evaluation], Directorate of Government Examinations, Chennai-6, as well as the letter dated of the Joint Director [Revaluation], Chennai-6, addressed to the Government Pleader, High Court, Madras and would submit that the daughter of the petitioner had secured $77+50=127$ marks out of 200 marks in Biology subject and the scanned copies of all the subjects were applied and only on filing of the writ petition, when it came to their knowledge that a wrong answer script was furnished to the petitioner, immediately it was rectified. It is the further submission of the learned Government Advocate that though the daughter of the petitioner did not apply for revaluation of her Biology answer script, the Directorate of Government Examinations, had constituted a Revaluation Committee comprising of three experienced Biology Teachers to revalue the said answer script and after revaluation, it was found that she secured '1' mark less in the said subject and however, since she did not apply for revaluation, the original mark, viz., "127" has been retained and therefore, the petitioner cannot express any grievance. The learned Government Advocate would undertake that in future such a kind of lapse / mistake will not be committed.

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

7 No doubt, the daughter of the petitioner was furnished with a wrong answer script in respect of Biology paper written by her and realising the mistake, a Revaluation Committee was constituted and after revaluation, it was found that the Biology/Botany paper gets '1' mark reduction and there is no change in the other part of Biology/Zoology and hence, the daughter of the petitioner did not apply for revaluation and the original mark has been retained. In the considered opinion of the Court, the office of the 2nd respondent has adopted a fair proceedings and therefore, the relief sought for by the petitioner no longer survives for adjudication. This Court also directs the respondents 1 and 2 to be more cautious in future as to the valuation, revaluation, furnishing of correct answer scripts etc., for the reason that any wrong doing in respect of the same, may result in catastrophic consequences, as it plays with the life of a student.

8 In the result, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

AP

To

1.The Director
Directorate of Government Examination
Nungambakkam, Chennai 600 006.

2.The Controller of Examination
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Kings Matriculation Higher Secondary
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1 cc to M/s.J.Karunanithi, Advocate, sr.46706

WP.No.20628/2016

mp co

kra 30.08.2016