

In the High Court of Judicature at Madras

Dated: 30.01.2017

Coram

The Honourable Mr.JUSTICE B.RAJENDRAN

W.P.No.927 of 2017

and

WMP No.933 of 2017

R.Rangarajan

..Petitioner

Vs

- 1 The Director of Government Examinations (School Education), College Road, Chennai 6.
- 2 The Director of Matriculation Education (State Board), College Road, Chennai 6.
- 3 The Chief Educational Officer, Cuddalore, Pennar Road, Manjakuppam, Cuddalore 1.
- 4 The Inspector of Matriculation Schools, Cuddalore 1.
- 5 The Principal, Kamaraj Matriculation Higher Secondary School, 70, Vengan Street, Chidambaram 608 001.

..Respondents

Prayer: Writ petition filed under Article 226 of the constitution of India for issuance of a writ of mandamus to direct the respondents to permit petitioner's son, R.R.Kavin Sandron, to write the Government 10th Standard Matriculation Examination which is to be held early in March 2017 as a school candidate included in the Nominal Roll of Kamaraj Matriculation Higher Secondary School, Chidambaram.

For Petitioner : Proff.S.Krishnaswamy

For Respondents: Mr.V.Anandamoorthy for R1 to R4
Additional Government Pleader
Mr.P.Nagaraju for R5

ORDER

This writ petition is filed for a mandamus to direct the respondents to permit petitioner's son, R.R.Kavin Sandron, to write the Government 10th Standard Matriculation Examination which is to be held early in March 2017 as a school candidate included in the Nominal Roll of Kamaraj Matriculation Higher Secondary School, Chidambaram.

2. According to the petitioner, his son R.R.Kavin Sandron is studying in 10th standard in the fifth respondent school and that since he was suffering from jaundice and vomiting blood, he could not attend the school in the month of July 2016. He approached the school to permit his son to attend the class and to write 10th standard Government Matriculation Examination. He further made a representation to the second and fourth respondents and to all concerned authorities. The fifth respondent has not taken any steps. Hence, the present writ petition.

3. The fourth respondent has filed a counter wherein it is stated that in paragraph No.4 has categorically stated that fifth respondent after receiving the orders from the Director of Matriculation Schools ought to have obeyed his orders and admitted the student in the school duly including Kavin Sandron in the nominal roll. If the nominal roll containing the name list was already submitted, she should have reported the fact to the Inspector of Matriculation Schools or to the Director of Government Examinations Chennai for taking further necessary action but they kept silent. The fifth respondent would contend that even after the admission given by the third respondent, the petitioner has attended school only for five days and therefore, he lacks attendance.

4. Heard all the parties.

5. Considering the fact that the authority has every right to condone the absence of a student in an extraordinary cases especially where the student was affected by serious illness. In this case, the petitioner's son was absent due to jaundice and vomiting blood supported by records. In such circumstances, the authorities shall include the student as one of the student and allow the student to attend the classes treating him as a

special case not as a precedent. Therefore, the fifth respondent school and the first respondent are directed to allow the petitioner's son viz., Kavin Sandron to be included in the nominal roll so as to enable him to write the tenth standard examination in March 2017, by facilitating the school to enroll the student Kavin Sandron by opening online. The writ petition is ordered accordingly. No costs. The connected miscellaneous petition is closed.

sd/
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vri

To

- 1 The Director of Government Examinations (School Education), College Road, Chennai 6.
- 2 The Director of Matriculation Education (State Board), College Road, Chennai 6.
- 3 The Chief Educational Officer, Cuddalore, Pennar Road, Manjakuppam, Cuddalore 1.
- 4 The Inspector of Matriculation Schools, Cuddalore 1.
- 5 The Principal, Kamaraj Matriculation Higher Secondary School, 70, Vengan Street, Chidambaram 608 001.

+1cc to Mr.Krishnasamy, Advocate SR.No.5409
+1cc to Mr.P.Nagaraju, Advocate SR.No.5439
+1cc to the Government Pleader, SR.No.5964

W.P.No.927 of 2017

PPA (CO)
GN(01/02/2017)