

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 11.10.2017

CORAM:

THE HON'BLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HON'BLE MR.JUSTICE P.VELMURUGAN

W.A Nos.236 to 239 of 2017

P.Anand (Minor)
Represented by his father and
Natural guardian R.Paramasivam ...Appellant
in W.A.No.236/2017/Petitioner

P.Gowtham (Minor)
Represented by his father and
Natural guardian T.Pasupathy ...Appellant in
W.A.No.237/2017/Petitioner

P.Rutwa (Minor)
Represented by her father and
Natural guardian P.Parmer Kamelesh ...Appellant in
W.A.No.238/2017/Petitioner

D.Shalini (Minor)
Represented by her father and
Natural guardian P.Dilli Babu ...Appellant in
W.A.No.239/2017/Petitioner

Vs

1.The Directorate of Government Examinations,
College Road, Chennai - 600 006.

2.The Director of School Education,
Government of Puducherry,
Puducherry - 605 001.

3.The Joint Director of School Education,
Government of Puducherry,
Puducherry - 605 001.

4.Achariya Siksha Mandir,
Represented by its Principal
Achariyapuram, Vilianur,
Puducherry 605 110.

5. Navalur Nedunchezian Government
Higher Secondary School,
Lawspet, Puducherry.

...Respondents in all
Appeals/Respondents

Prayer:- Writ Appeals filed under clause 15 of Letters Patent,
against the order made in W.P.Nos.4765 to 4768 of 2017
respectively, dated 24.02.2017.

Prayer in W.P. No 4765 to 4768/2017:

Petitions filed under Article 226 of the constitution of
India praying this court for the issuance of Writ of Mandamus
directing the 1st Respondent herein to pass orders shifting the
examination centre from Navalur Nedunchezian Government Higher
Secondary School Lawspet area Puducherry the 5th Respondent
herein to any other approved centre in Villianur area
puducherry in respect of the students of the 4th Respondent
School in the light of the recommendation of the 2nd Respondent
dated 20.02.2017.

For Appellants
(in all Appeals) : Mr.Kandhan Duraisami

For Respondents : Mr.V.Anandhamoorthy
(in all Appeals) Addl.Govt.Pleader for R1
Ms.V.Usha
Addl.Govt.Pleader (Puducherry)
for R2 to R5

C O M M O N J U D G M E N T
K.K. SASIDHARAN, J.

These intra court appeals are directed against the order
dated 24 February, 2017 in W.P.Nos.4765 to 4768 of 2017,
dismissing the writ petitions filed by the appellants on the
ground of delay.

2. The appellants were studying in the 4th respondent
institution and obtained hall tickets for appearing in the 12th
standard public examination. Since the institution where they
have to appear for the public examination was situated about 17
kms away from their residential area, the appellants filed writ
petitions before this Court with a grievance that it would not
be possible for them to travel such a long distance in the
morning for the purpose of taking the examination.

3. The learned single Judge having found that by the time
writ petitions were filed, hall tickets were already issued,

dismissed the writ petitions. Feeling aggrieved, the unsuccessful writ petitioners are before this Court.

4. The learned counsel for the appellants contended that in case the examination centre is situated far away from the residential area of the appellants, it would cause them considerable difficulties. According to the learned counsel, difficulties faced by the appellants for travelling to the examination centre alone made them to file writ petitions. The learned counsel submitted that at least during the years to come, the Government should ensure that the examination centre is situated in a nearby place.

5. We have also heard the learned Additional Government Pleader on behalf of respondents 1 to 3 and 5.

6. The appellants were enrolled as students in the 4th respondent institution. Since there was no centre for examination at Villianur, the appellants were directed to appear for the public examination at Navalur Nedunchezian Government Higher Secondary School, Lawspet, Puducherry. It was the grievance of the appellants before the writ court that said school is situated about 17 kms away from Villianur and as such, it would not be possible for them to appear at the centre.

7. There is no dispute that by the time the writ petitions were filed, the appellants were issued with hall tickets. The learned single Judge was therefore perfectly correct in observing that it would not be possible to change the centre at the eleventh hour. We, therefore, do not find any reason to take a different view in the matter. However, we are of the view that the question raised by the appellants should be considered by the Education Department and they should ensure that the examination centre is situated near to the institution to the extent possible.

8. The intra court appeals are disposed of with the above observation. No costs.

-s/d-

Assistant Registrar(CS-II)

True Copy

Sub-Assistant Registrar

svki

To

1.The Directorate of Government Examinations,
College Road, Chennai - 600 006.

2.The Director of School Education,
Government of Puducherry,
Puducherry - 605 001.

3.The Joint Director of School Education,
Government of Puducherry,
Puducherry - 605 001.

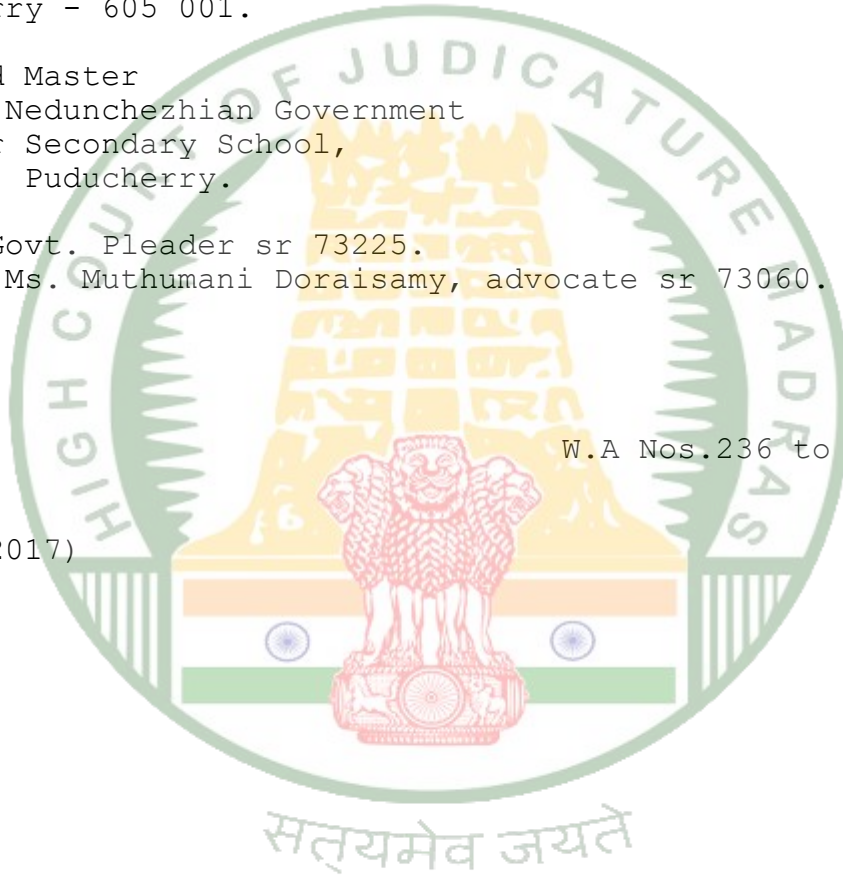
4.The Head Master
Navalur Nedunchezhan Government
Higher Secondary School,
Lawspet, Puducherry.

+1 CC to Govt. Pleader sr 73225.

+2 Ccs to Ms. Muthumani Doraisamy, advocate sr 73060.

W.A Nos.236 to 239 of 2017

VGI (CO)
SP(10/11/2017)



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