

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19-09-2017

CORAM :
THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P.No.4844 of 2017

&

WMP.No.5065 of 2017

R.Murugan

... Petitioner

Vs

1.The Director,
Directorate of School Education,
DPI Complex, College Road,
Nungambakkam, Chennai - 600 008.

2.The Director,
Directorate of Government Examination,
DPI Complex, College Road,
Nungambakkam, Chennai - 600 008.

3.The District Educational Officer,
Erode.

4.The Head Master,
Government High School,
Kurichi,
Bhavani-638 314,
Erode.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India for issuance a writ of mandamus, directing the 1st and 2nd

respondents to issue necessary orders to the 3rd Respondent and to the 4th Respondent School Head Master, as per the Official Order in Na.Ka.No/K/E1/2016 dated 28.12.2016, to include the name of the Petitioner's son M.Gnanasekar, studying in 10th standard in the 4th Respondent Government High School, School Admission No.2619, in the 'Nominal Roll' prepared for Enrolling the Students Name appearing for the SSLC March - 2017 Public Examination and consequently Issue Hall Ticket to the Petitioner's son M.Gnanasekar, to allow, to appear and write the SSLC March-2017 Public Examination, for the Academic year 2016-2017, scheduled to be conducted, Practical Examination on 25.02.2017, Written Examination from 08.03.2017.

For Petitioner : Mr.P.K.Rajesh Praveen Kumar

For Respondents : Mr.V.Anandhamoorthy
Additional Government Pleader

ORDER

The petitioner's son M.Gnanasekar was studying in 10th standard in the 4th respondent Government High School. Since, he did not receive hall ticket for SSLC examination to be held in March 2017, the petitioner approached the Head Master of the 4th respondent School. Though the name of the petitioner's son was included in the nominal roll, the Head

Master forced the petitioner to get Transfer Certificate of his son. Thereafter, the petitioner made a representation on 21.02.2017 seeking permission for his son to appear in the examination to be held in March 2017. Since it is not been considered, the petitioner has come before this Court. By a detailed order dated 07.03.2017, this Court directed the respondents to permit the petitioner to write examination and paragraph 7 of the order is extracted as follows:

“In an attempt to do complete justice and to give a practical and viable relief to the petitioner, the respondents are directed to permit the petitioner's son to appear for the entire 10th standard public examination, including the practical examination, at the time of conducting instant examinations, which is usually conducted after the 10th standard public examination results are announced, so as to benefit the failed candidates who appeared in the 10th standard public examinations held during March 2017. Though failure in one of the papers or many papers are essential to participate in the instant examination, as stated above, the petitioner's son has got legal right to write the 10th standard public examination in March 2017 which has been denied to him unilaterally. Therefore, without insisting upon any formality or procedures, the respondents are directed to permit the petitioner's son to take part in

the instant examination for 10th standard public examination, alongwith practical examinations for the academic year 2016-2017, which is usually conducted during June 2017, so that the petitioner's son would have opportunity of joining Plus One in the next academic year, i.e.2017-2018 like regular students who wrote the 10th standard public examination during March 2017, provided the petitioner's son is successful in the said examination. All the formalities for the purpose of allowing the petitioner's son to take part in the instant examination have to be looked after by the 4th respondent School. Further, by no chance, the petitioner's son should not be denied permission to write the instant examination to be held in June 2017.”

2. When the matter is called today, the learned Counsel for the petitioner would submit that pursuant to the order of this Court, the petitioner's son was permitted to appear for the examination, however he got failed. In view of the above stated position, no further order is necessary. Hence this writ petition is closed. No costs. Consequently, connected miscellaneous petition is closed.

19.09.2017

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To

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N.KIRUBAKARAN, J

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