

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE C.T.SELVAM
AND

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P.No.27822 of 2017
and
W.M.P.No.29816 of 2017

Maheswari

represented by her mother and
Guardian, G.Rakhee

No.7, North Madha Street,

Doshi Enclave, T8, Third Floor,

Royapuram, Chennai - 13.

... Petitioner

- Vs -

1.The Secretary to Government,
School Education Department,
Fort St.George, Chennai - 600 009.

2.The Director of School Education,
DPI Campus, College Road,
Chennai - 600 006.

3.The Director of Government Examinations,
DPI Campus,
College Road, Chennai - 600 006.

4.The District Educational Officer,
Chennai North.

5.The Inspector of Matriculation Schools,
DPI Campus, College Road,
Chennai - 600 006.

6.Badankanwar Chainmal Surana Jain
Matriculation Higher Secondary School,
represented by its Principal,
No.28/14, Ramanuja Iyer Street,
Old Washermenpet, Chennai - 600 021.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of
India praying to issue a Writ of Mandamus directing respondents
1 to 5 herein to grant exemption to petitioner from the

provisions of the Tamil Nadu Compulsory Tamil Learning Act, 2006 and thereby permit the petitioner to write the petitioner's mother tongue Hindi as Part-I language in the ensuing 10th standard Board examination.

For Petitioner : Ms.Dakshayani Reddy
For Respondents : Mr.S.N.Parthasarathy
Government Advocate [R1
to R5]

O R D E R

[Order of the Court was made by C.T.SELVAM, J]

This writ petition seeks issuance of a Writ of Mandamus directing respondents 1 to 5 herein to grant exemption to petitioner from the provisions of the Tamil Nadu Compulsory Tamil Learning Act, 2006 and thereby permit the petitioner to write the petitioner's mother tongue Hindi as Part-I language in the ensuing 10th standard Board examination.

2. Petitioner was pursuing her studies in a School at Vijayawada, Andhra Pradesh with Hindi as first language. Since petitioner's father died, she and her mother shifted to Chennai and she got admission in the sixth respondent school for eighth standard for the academic year 2015-16. Since petitioner came to know that Tamil will have to be written as Part-I language, she approached the Headmistress of the School in June 2017 and sought for exemption. However, the Headmistress refused to entertain the application on the reason that only the students who have migrated during the present academic year alone are eligible. Hence, petitioner submitted a representation dated 12.10.2017 to the District Educational Officer as well as the Inspector of Matriculation Schools. This writ petition has been filed seeking a direction to respondents 1 to 5 to consider the representation dated 12.10.2017.

3. Heard learned counsel for petitioner and learned Government Advocate for respondents 1 to 5.

4. Under orders dated 09.03.2016 in W.P.No.8099 of 2016, the First Division Bench of this Court has taken into consideration that the candidate had shifted from Andhra Pradesh to Tamil Nadu only in 9th class and that too on account of the demise of her father and directed authorities to afford her exemption from taking the Tamil examination. We find the petitioner similarly placed and entitled to similar relief.

The Writ Petition shall stand allowed. Though petitioner seeks permission to write the Part-I language paper

in the ensuing 10th standard Board Examination in Hindi, the relief shall stand restricted to one directing respondents to exempt petitioner from taking the Tamil examination for the 10th Standard Board Examination to be held for the year 2017-18. No costs. Connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

gm

To

- 1.The Secretary to Government,
School Education Department,
Fort St.George, Chennai - 600 009.
- 2.The Director of School Education,
DPI Campus, College Road,
Chennai - 600 006.
- 3.The Director of Government Examinations,
DPI Campus,
College Road, Chennai - 600 006.
- 4.The District Educational Officer,
Chennai North.
- 5.The Inspector of Matriculation Schools,
DPI Campus, College Road,
Chennai - 600 006.

+1cc to Ms.Dakshayani Reddy, Advocate in sr.no.82183

W.P.No.27822 of 2017

RK(CO)
NR 21/11/2017

WEB COPY