

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.01.2017

CORAM

THE HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE M.SUNDAR

W.P.No.43280 of 2016

Stanesh Anglo Indian Higher Secondary School
Coonoor, Nilgiris District
rep. by its Principal and Correspondent
Mr.Glenn Croning

... Petitioner

Vs

1. The Government of Tamil Nadu
rep. by its Principal Secretary
Department of School Education
Fort St. George, Chennai - 600 009.
2. The Director of School Education
DPI Compound, College Road
Nungambakkam, Chennai - 600 006.
3. The Inspector of Anglo Indian Schools
DPI Compound, College Road
Nungambakkam, Chennai - 600 006.
4. The Chief Educational Officer
Chief Educational Office
Salem.

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Certiorari calling for the records pertaining to the guidelines issued by the 1st respondent to the 2nd respondent in Letter (MS) No.134, dated 18.07.2016 and to quash the same and to direct the respondents to grant exemption to those students of the petitioner school namely (1) Eshwar Sashi Kumar.R, (2) Nithiesh.S, (3) Darren M Sangma from writing the Tamil language papers in 10th Standard public examination under Part-I in March 2017 for the Academic year 2016-17.

For Petitioner

: Mr.B.Ravi Raja

For Respondents

: Mr.R.Muthukumarasamy
Advocate General
assisted by
Mr.T.N.Rajagopalan
Special Government Pleader

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

A fresh government order has been issued dated 2.1.2017. To remove the possibility of any doubt over the interpretation of that government order, the learned Advocate General is in agreement with the understanding of this Court of the Government Order that effectively unless a person has had the benefit of studying Tamil for a period of three academic years before taking the examination, he would not be tested in the Tenth Class in that subject and will be provided exemption.

2. The result of the aforesaid insofar as the present writ petition is concerned is that students at Serial Nos.(1) and (3) on Page (38) of the typed set would be entitled to the exemption, but the student at Serial No.(2), who would have studied Tamil for a period of three academic years before taking the examination, would not be entitled to the exemption.

We, thus, accordingly dispose of the petition leaving the larger question qua the second student open in view of the petitioners in other petitions seeking to agitate the matter even in respect of the students who have studied Tamil for a period of three academic years. No costs. Consequently, W.M.P.No.37121 of 2016 is closed.

Sd/-

Assistant Registrar(CS V)

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Sub Assistant Registrar

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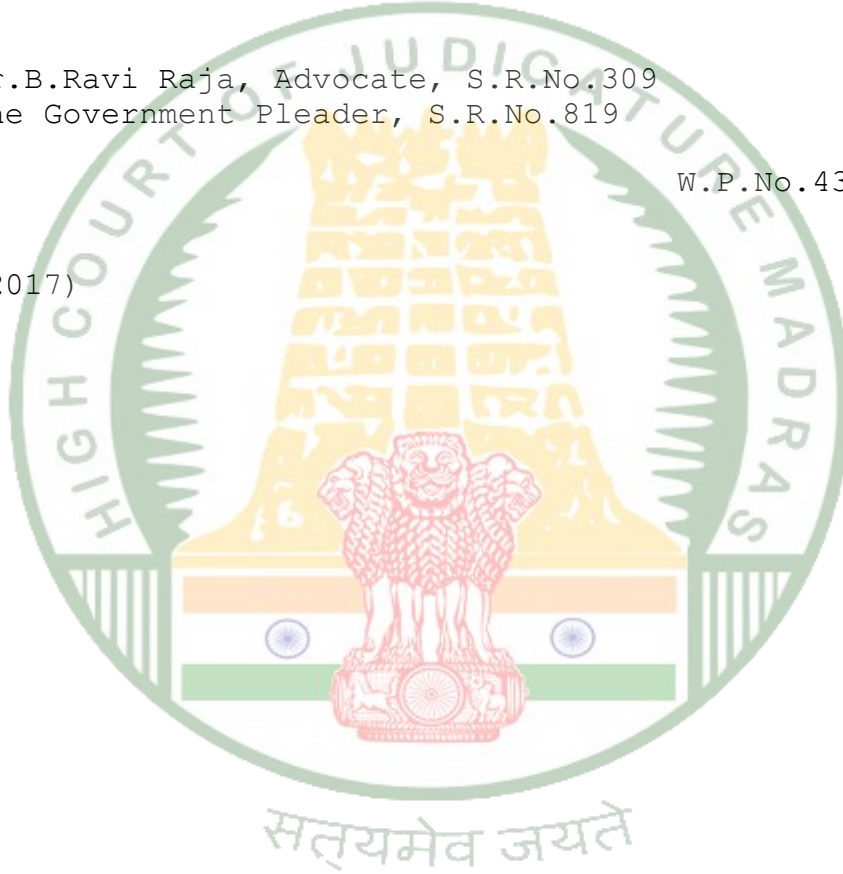
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+1cc to Mr.B.Ravi Raja, Advocate, S.R.No.309
+1cc to the Government Pleader, S.R.No.819

W.P.No.43280 of 2016

UG(CO)
CA(11/01/2017)



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