



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.03.2018

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.(MD)No.4568 of 2018

Minor Mallika

... Petitioner

-Vs-

1.The Director of Government Examinations,
Directorate of Government Examinations,
College Road, D.P.I.Campus,
Nungambakkam, Chennai-600 006.

2.The Regional Deputy Director,
O/o.The Regional Deputy Director of
Government Examinations,
Government High School Campus,
Swamy Nellaippar Salai,
Tirunelveli-627 002.

3.The Chief Educational Officer,
Virudhunagar, Virudhunagar District.

4.The District Educational Officer,
Srivilliputhur District Educational Office,
Srivilliputhur, Virudhunagar District.

... Respondents

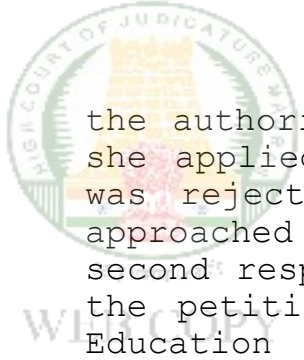
PRAYER:Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned memo issued by the second respondent in Na.Ka.No.000132/Aa10/2018, dated 06.02.2018, quash the same and consequently direct the respondents to permit the petitioner to write her 10th standard Board Examination through private.

For Petitioner	: Mr.K.Gokul
For Respondents	: Mrs.J.Padmavathi Devi, Special Government Pleader.

ORDER

This writ petition has been filed, challenging the order passed by the second respondent rejecting the petitioner's request for permitting the petitioner to right S.S.L.C. Examination.

2.According to the petitioner, she was born on 23.09.2003. When she was studying in 9th standard, an exemption was granted by



the authorities to write the 9th standard examination. Thereafter, she applied for 10th standard examination through online, the same was rejected on the ground that she is under age. Hence, she approached the second respondent seeking for age relaxation, but the second respondent by his impugned order dated 06.02.2018, rejected the petitioner's claim on the ground that as per G.O.(Ms)No.192, Education (W) Department, dated 25.02.1992, she has not completed the age of 14 ½ years. Therefore, she cannot be permitted to write examination, the above order is under challenge in this writ petition.

3.The learned counsel appearing for the petitioner submitted that when she was studying as a regular student in 9th standard, age relaxation was given to the petitioner. After granting age relaxation, now, the second respondent cannot reject the petitioner's claim.

4.I have heard the submissions made by the learned counsel appearing on either sides, and perused the materials available on record carefully.

5.Admittedly, the petitioner was born on 23.09.2003, and as per G.O.(Ms)No.192, Education (W) Department, dated 25.02.1992, eligibility for writing S.S.L.C. Examination as a private candidate is that the candidate should complete 14 ½ years. Admittedly, the petitioner does not complete 14 ½ years. In the above circumstances, the second respondent has rightly rejected the petitioner's request. A perusal of the above said G.O., it is seen that there is no power to the authority to relax the age limit. Therefore, I find no irregularity or illegality in the impugned order passed by the second respondent. Hence, the prayer sought for in this writ petition cannot be granted. Accordingly, this writ petition is dismissed. No costs.

Sd/-
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1.The Director of Government Examinations,
Directorate of Government Examinations,
College Road, D.P.I.Campus,
Nungambakkam, Chennai-600 006.

2.The Regional Deputy Director,
O/o.The Regional Deputy Director of Government Examinations,
Government High School Campus,
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3.The Chief Educational Officer,
Virudhunagar, Virudhunagar District.

4.The District Educational Officer,
Srivilliputhur District Educational Office,
Srivilliputhur, Virudhunagar District.

+1CC to Mr.K.Gokul, Advocate, SR.No. 55335

+1CC to the Special Government Pleader SR.No.55666

W.P (MD) No.4568 of 2018
14.03.2018

Myr
AM/KKR/SAR 1/26.03.2018/3P/7C