



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE C.T.SELVAM
AND
THE HONOURABLE MR.JUSTICE A.M.BASHEER AHAMED

W.P.[MD].No.9246 of 2018
and
WMP.(MD).Nos.8550 & 8551 of 2018

N.Sivakumar : Petitioner
Vs.

The Director of Government Examinations,
Office of the Directorate of Government Examinations,
D.P.I., College Road,
Nungampakkam,
Chennai. : Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned circular bearing Na.Ka.No.267877/B4/2018 dated 18.04.2018 and quash the same as illegal and consequently direct the respondent to appoint the Government Teachers alone in paper valuation work for the +2, +1 and 10th board exams conducted by the respondent in March, 2018.

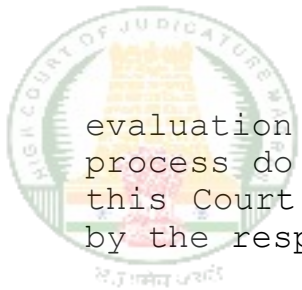
For Petitioner : Mr.R.Sankar Ganesh
For Respondent : Mr.R.Sethuraman
Special Government Pleader

ORDER

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

The present Writ Petition has been filed by the petitioner challenging the circular bearing Na.Ka.No.267877/B4/2018 dated 18.04.2018 issued by the respondent and for a consequential direction to the respondent to appoint the Government Teachers alone in paper valuation work for +2, +1 and 10th board exams conducted by the respondent in March, 2018.

2. It is averred in the affidavit filed in support of the Writ Petition that the petitioner is a BT Assistant Teacher in Government Higher Secondary School, Boothipuram. It is further averred that the respondent conducted board exams for 10th standard, +1 and +2 in March 2018 and the paper evaluation had commenced on 12.04.2018. His grievance is that the respondent issued a circular dated 18.04.2018, engaging a large number of private school teachers in the process of



evaluation of papers. Contending that the teachers engaged in such process do not possess required experience, the petitioner is before this Court with this Writ Petition, challenging the circular issued by the respondent.

3. We have heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondent.

4. Today, when the Writ Petition is taken up for admission, Mr.R.Sethuraman, learned Special Government Pleader, produced a copy of the communication dated 24.04.2018, issued by the respondent, which reads as follows:-

"It is stated that for SSLC Exam March / April 2018 nearly ten Lakhs students have written their examinations. Each student writes 7 papers. In turn the Government should evaluate nearly 70 Lakhs answer papers within a short period of time.

As the result publication date is 23.05.2018 was already announced, we are running short of time.

In this regard the Matriculation Schools were sending around three Lakhs students for SSLC Examination this year. So, to evaluate this number of answer scripts by Government teachers alone is not possible to complete the work in time.

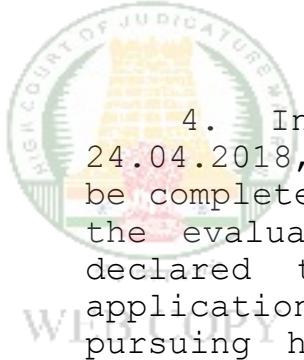
Experienced Matriculation teaching staffs only are involved in valuation and entrusted to value only English Medium Scripts. The Matriculation teachers are appointed as Assistant Examiner only, as Assistant Examiner value an answer paper, the Chief Examiner rechecks the paper and the scrutinizing officer will check the mark entries.

The Chief Examiner and Scrutiny Officer are appointed from the Government Schools or from the aided schools only. So, it is stated that there is no issue about credibility of Matriculation Teachers.

In this regard, it is stated that out of ten lakhs candidates three lakhs candidates belong to Matriculations Schools.

Every year in SSLC valuation all the teachers working in Government/Aided and Matriculation Schools are involved for valuation."

5. We find absolutely no merit in the contentions of the petitioner. When faced with need to evaluate the examination papers of ten lakhs students, which amount to as many as 70 lakhs answer papers, it is best to leave the matter to the discretion of the authorities on how to go about the exercise. Unless the manner adopted by the authority concerned is per se erroneous discriminatory or mala fide, it is not for this Court to interfere with the same.



4. In fact, the communication of the respondent dated 24.04.2018, besides informing that the exercise of evaluation is to be completed before 23.05.2018, is acceptable, since it is only when the evaluation process is completed and examination results are declared that the students will have the benefit of making applications to schools and from schools to colleges towards pursuing higher streams of study. The procedure adopted by the respondent is not new, but, is one, which has been in vogue.

5. Finding no merit, the Writ petition shall stand dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar (P&A)

/True Copy/

Sub Assistant Registrar

To

The Director of Government Examinations,
Office of the Directorate of Government Examinations,
D.P.I., College Road,
Nungampakkam,
Chennai.

+1cc to Special Government Pleader, SR.No. 63597

ORDER MADE IN
W.P. [MD].No.9246 of 2018
and
WMP. (MD) .Nos.8550 & 8551 of 2018
25.04.2018

nb
JM/KKR/SAR 1/16.05.2018/3P/3C