

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 13.06.2019

CORAM
THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.No.12768 of 2019

P.Chinnusamy

... Petitioner

Versus

- 1.The Principal Secretary to Government,
School Education Department,
Fort St.George, Secretariat,
Chennai-600 009.
- 2.The Joint Director (Secondary Education)
Directorate of Government Examinations,
College Road,
Chennai-600 006.
- 3.The District Educational Officer,
Marapalayam,
Erode-638 001.
- 4.The Chief Superintendent of Examinations,
Government Higher Secondary School,
Royapalayam,
Sithode.
- 5.The Head Master,
Sakthi Higher Secondary School,
Sakthipuram,
Sithode.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for the issue of Writ of Mandamus directing the respondents to take appropriate action against the erring officials who failed to follow the G.O.Ms.No.54 School Education GE(1) Department dated 29.02.2016 and consequentially re-examination to the petitioner's daughter C.Pratheeba by following the G.O.Ms.No.54 School Education GE (1) Department dated 29.02.2016 by considering petitioner representation dated 04.04.2019.

For Petitioner : Mr.Marudhachalamurthy.R

For Respondents : Mr.D.Suriyanarayanan
Addl.Government Pleader

O R D E R

The Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondents to take appropriate action against the erring officials who failed to follow the G.O.Ms.No.54 School Education GE(1) Department dated 29.02.2016 and consequentially re-examination to the petitioner's daughter C.Pratheeba by considering the petitioner's representation dated 04.04.2019.

2. Pursuant to the direction of this Court, the joint Director of School Education has filed a report, wherein the details of scribe appointed by the Education department has been provided. The allegations made in the affidavit that the scribe appointed by the department to assist the petitioner's daughter to write English examination on 22.03.2019, not behaved properly with his child. He caused embarrassment to this child and he has not written what the daughter stated to him. The petitioner has taken a strong objection for appointing male scribe for female candidate.

3. As far as the marks scored by the candidate Pratheeba, the report indicates that she has scored 53 marks in English exam. Except the first language where she has secured 74 marks, in all other papers her score is far below the marks she has secured in English. Therefore, there is no material to infer that he did not write what the candidate told to him. Whereas the allegations of misbehaviour, it is open to the writ petitioner to pursue his complaint.

4. The Education department is directed to ensure whenever the scribe is appointed, the scribe may be the same gender so as to avoid complaints of this nature in future.

5. With the above direction, the petition is disposed of. There shall be no order as to costs.

सत्यमेव जयते
Sd/-

Assistant Registrar(Insp.Cell)

//True Copy//

Sub Assistant Registrar

rpl

To

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

2.The Joint Director(Secondary Education)
Directorate of Government Examinations,
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Chennai-600 006.

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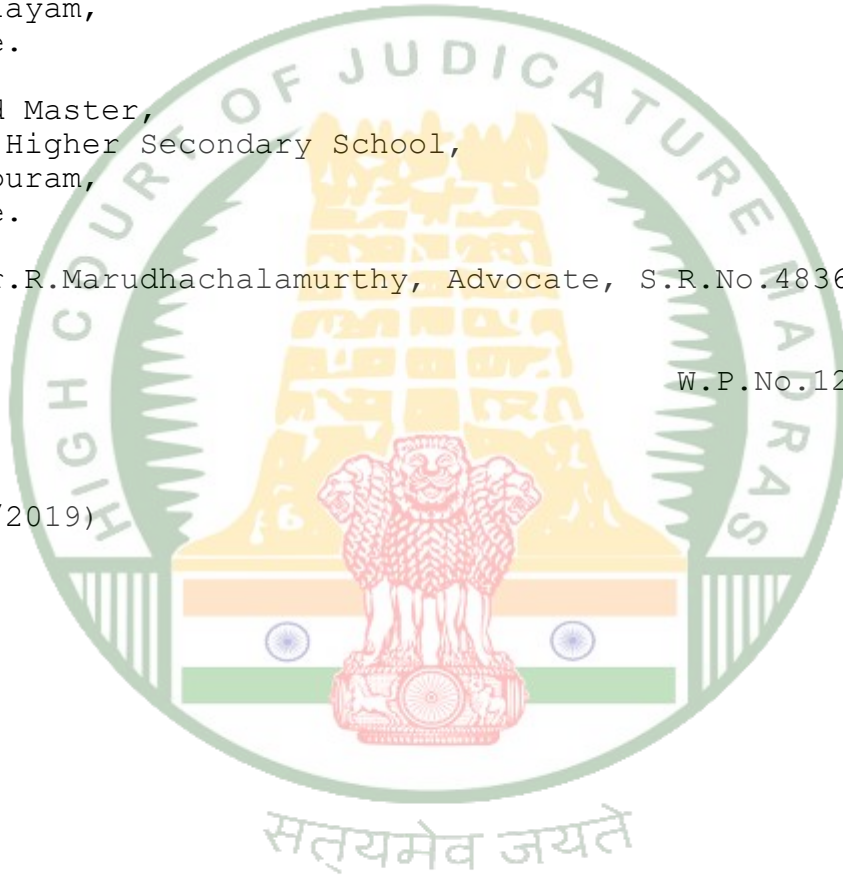
5.The Head Master,
Sakthi Higher Secondary School,
Sakthipuram,
Sithode.

+1cc to Mr.R.Marudhachalamurthy, Advocate, S.R.No.48364

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SKC(CO)

RRS (09/07/2019)



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