

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 24.06.2019

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.No.15741 of 2019
& W.M.P.No.15589 of 2019

M.S.Sreya

... Petitioner

Vs.

1. The Director
District Institute of Education and Training
Melavasal, Mannargudi.
2. The Secretary
(DGE-DEE-2018) Diploma in Elementary Education
Department of Examinations
College Road, Chennai - 600 006. ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to forthwith refer the valuation pursuant to the DGE-DEE-Diploma in Elementary Education Examination June 2018, to CB-CID in relation to the illegalities and that of the fraud played by the office of the respondent and to submit a report within a time to be stipulated by this Hon'ble Court.

For Petitioner : Mr.L.Chandrakumar
For Respondents: Ms.V.Annalakshmi
Government Advocate

ORDER

This writ petition is filed by the petitioner, alleging grave malpractice in valuing the answer script of Diploma in Elementary Education Examination conducted during June 2018.

2. According to the petitioner, she took up her Examination for Diploma in Elementary Education during the month of June 2018. One of the subject with code No.204 is Facilitating and Enhancing Learning - II (TAM). She initially secured 53 marks, later arbitrarily her mark was reduced to 46 marks. Suspecting foul play in the valuation, she sought for re-valuation, after obtaining photocopy of the answer script. The respondents in the re-valuation has reduced the marks from 46 to 44. The main contention raised by the petitioner counsel is that as per the notification of the respondents, re-valuation must be done by three members committee, whereas, the valuation assessment report furnished by the

respondents indicates only two members have assessed the answer script of the petitioner. Photocopy of the re-valuation assessment report fortifies the submission made by the petitioner counsel. The re-valuation committee with two members (i)A.Krishnamoorthi, Senior Lecturer, DIET-Oddanchatram and (ii) S.Chinnapparaj, Lecturer, DIET-Nagapattinam, had evaluated the petitioner paper.

3.For this simple reason, for inadequacy of the total strength of re-valuation committee, the writ petition is allowed. The re-valuation assessment report of the respondent dated 11.04.2019 is set aside. The respondents are directed to re-value the answer script of the petitioner bearing code No.204 - Facilitating and Enhancing Learning - II (TAM), afresh through duly constituted re-valuation committee of three members and communicate the result of the petitioner within 15 days from the date of receipt of a copy of this order.

4.After passing this above said order, the learned Government Advocate appearing for the respondents filed a typed set of papers containing the communication of the Director of Government Examinations dated 24.06.2019 and the copy of the re-valuation report done on 20.06.2019 by three members viz., (i) J.Rajarajeswari, Lecturer, DIET-G.Ariyur, (ii) C.Brintha, Senior Lecturer, DIET-Kaliyampoondi and (iii) G.Dhavamani Maheswari, Senior Lecturer, DIET-Tirur, on 20.06.2019, indicating that the petitioner herein had secured 44 $\frac{1}{4}$ marks in the re-valuation.

5.This Court is unable to understand, what prompted the respondents to constitute three members committee to value the answer script of the petitioner, pending writ petition and keep it secretly with them and circulating it after dictating the order in open Court. This causes doubt on the entire conduct of the respondents in conducting the examination and valuing the answer scripts. I see some force in the allegations made by the petitioner herein that something seriously wrong in the administration of the respondent Department, which requires probe.

6.Therefore, this Court while directing the respondents to re-value the answer script of the petitioner for the code No.204 - Facilitating and Enhancing Learning - II (TAM) and communicate the same to the petitioner within a period of 15 days from the date of receipt of a copy of this order and also issue mandamus to the Higher Education Secretary, Government of Tamilnadu to look into the complaints of malpractice in valuation of the Teacher training course exams held in 2018, by constituting a committee and take action.

7.The learned Government Advocate is directed to file an action taken report to this Court within three months from the date of receipt of copy of this order. With these directions, the writ petition stands disposed of. Consequently connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

Jer/msrm

To

1. The Director
District Institute of Education and Training
Melavasa, Mannargudi.
2. The Secretary
(DGE-DEE-2018) Diploma in Elementary Education
Department of Examinations
College Road, Chennai - 600 006.
3. The secretary,
Government of Tamilnadu,
Higher Education Secretary
Fort St.George chennai 9.

+1 cc to Government Pleader Sr.No. 52313

+1cc to Mr.L.Chandrakumar , Advocate SR.No. 52087

+1cc to Mr.P.T.Ramadevi , Advocate SR.No. 51992

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A.SK(25/06/2019)

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