

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2020

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.6857 of 2020

and

WMP No.8168 of 2019

Infant Jesus Matric.Hr.Sec.School,
Rep.by its Correspondent,

V.P.Dennison,

Puthupattinam,

Kalpakkak-603 102.

Chengalpattu District 635 109

...Petitioner

Vs.

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

2.The Director of Matriculation Schools,
College Road,
D.P.I.Campus,
Nungambakkam, Chennai 600 006.

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

4.The Chief Educational Officer,
Kancheepuram,
Chengalpattu District.

5.The District Educational Officer,
No.58, Old G.S.T.Road,
Chengalpattu,
Chengalpattu District.

..Respondents

Prayer:- Writ petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the 4th respondent's proceeding made in impugned order Na.Ka.No.6699/A7/2019, dated 06.01.2020 and quash the same and to consequently direct the respondents to grant exemption from insisting for appearance in Tamil Language Exam under Part-1 for the ensuring 10th Standard CBSE Board Exam during March-April, 2020.

For Petitioner : Mr.D.Ramesh Kumar

For Respondent : Mrs.V.Annalakshmi
Government Advocate

O R D E R

This writ petition has been filed by the petitioner School challenging the proceedings of the 4th respondent dated 06.01.2020 and for a consequential direction to the respondents to grant permission to the student name Sreejani Halder, to write Hindi as her IInd language on 27.03.2020.

2.It is seen from records that the petitioner originally belongs to West Bengal and her family came on transfer to Chennai. She joined the petitioner School when she was studying VIIIth Standard. She continued in the said School and the petitioner School had sought for the permission of the respondents to permit the student to write Hindi as her IInd language. The 4th respondent has rejected the claim made by the petitioner School through the impugned proceedings on the ground that as per G.O.Ms.No.37, dated 06.03.2018, only those students who had jointed in the IXth Standard from a different stream, will be allowed to write the IInd language in his or her mother tongue and since the petitioner had joined in the VIIIth standard, this Government order will not apply.

3.Heard Mr.D.Ramesh Kumar, learned counsel appearing for the petitioner and Mrs.V.Anna Lakshmi, learned Government Advocate appearing on behalf of the respondents.

4.It is brought to the notice of this Court that already Hall Ticket has been issued to the concerned student named Sreejani Halder, by the Directorate of Government Examination, Chennai-6, wherein, the student has been allowed to

write Hindi as the IInd language on 27.03.2020. That apart, the learned counsel for the petitioner submitted that the said student was writing only Hindi as the IInd language throughout and she never wrote Tamil as IInd language at any point of time.

5. In view of the fact that Hall Ticket has already been issued to the student, permitting her to write Hindi as the IInd language, it will be unfair to prevent the student from writing the examination in Hindi and insist for Tamil as the IInd language. Such a decision will have an adverse impact on the student and it will have a direct effect on her future. It will unnecessarily cause distress to the student. Therefore, in the considered view of this Court, the student Sreejani Halder, should be allowed to write Hindi as the language paper on 27.03.2020.

6. This writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CS III)

/true copy/
Sub Asst. Registrar

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To

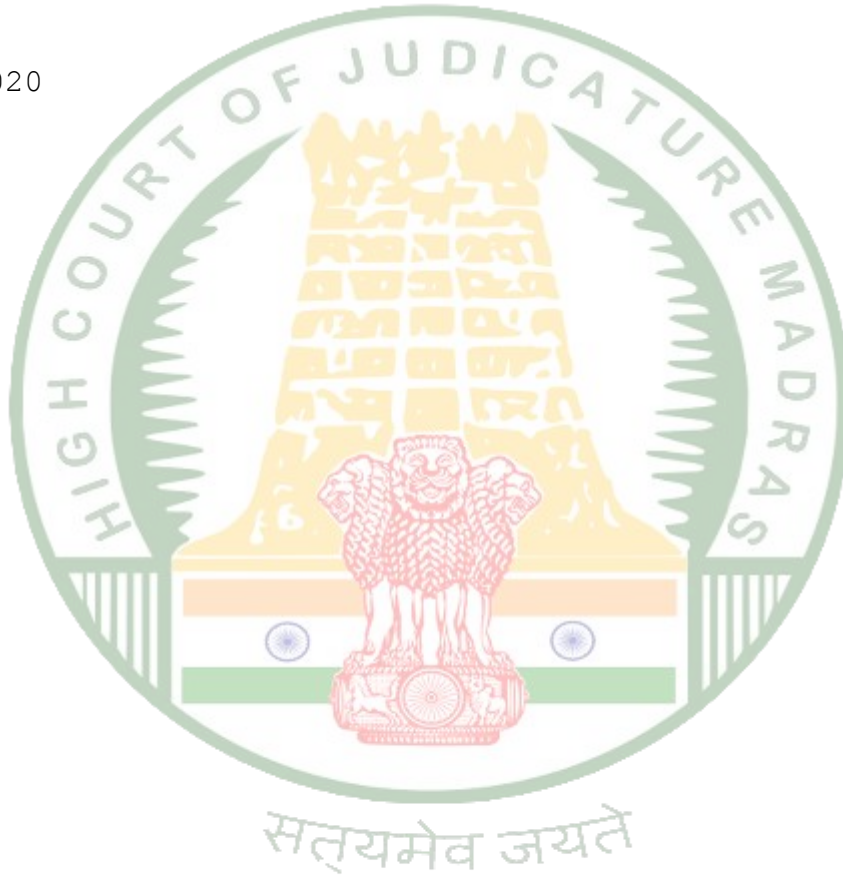
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+1 cc to Government Pleader sr24490
+2 cc to Mr.D.Rameshkumar Advocate sr23823

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