

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2020

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
and
THE HON'BLE MRS.JUSTICE R.HEMALATHA

W.P.No. 11394 of 2020
& W.M.P.No. 13907 of 2020

S.Balasubramanian

.. Petitioner

vs

1.The Government of Tamil Nadu
Rep by its Principal Secretary
School Education Department,
Secretariat, Fort St.George,
Chennai 600 009

2.The Director of School Education,
No. 17, College Road,
Nungampakkam
Chennai 600 006.

3.The Director of Government Examinations,
DPI Campus, College Road,
Nungampakkam,
Chennai 600 006.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents authorities to declare the Petitioner's son B.Varunkumar and similarly placed students of the SSLC Direct Private March 2020 examination (New Syllabus) as passed and issue mark sheets with minimum pass marks in view of COVID 19 pandemic problems.

For Petitioner .. Mr.P.Duraiswamy

For Respondents .. Mr.C.Munusamy,
Special Government Pleader

ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

The petitioner has come forward to file this writ petition seeking a direction to the respondent to declare his son and similarly placed students of the SSLC Direct Private March 2020 examination (New Syllabus) as passed and issue mark sheets with minimum pass marks in view of the pandemic situation.

2. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

3. Learned counsel appearing for the petitioner submitted that the students who are writing private examinations cannot be treated differently. The admission process has already been started and therefore the writ petition filed will have to be allowed.

4. Learned Special Government Pleader appearing for the respondents submitted that within a period of two weeks from the date of writing the examinations, results will be declared. The private students are forming distinct class on their own. In any case, the courses have not been started, since no decision is taken as of now.

5. We do not find any merit in this writ petition. The students who are writing the private examinations stand on a different footing. The date for examination has been fixed. Merely because the process of admission is ongoing, the petitioner cannot seek as a matter of right that the students for whom the private examinations has been fixed will have to be declared as passed and thereafter given admission. Factually, no classes are taking place as of now.

6. Learned Special Government Pleader also stated that within a period of two weeks from the date of conduct of the examinations, results will be declared. Thus the relief sought for cannot be granted as the students who are writing private examinations stand totally on a different footing. There is no methodology for assessing them also. However, while declining to grant the relief as sought for by the petitioner, the statement made by the learned Special Government Pleader that the results will be published within a period of two weeks from the date of writing the examinations stands recorded. In the event of the petitioner's son having any difficulty in securing the admission, it is well open to the petitioner to approach the Court.

7.With the above observation, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

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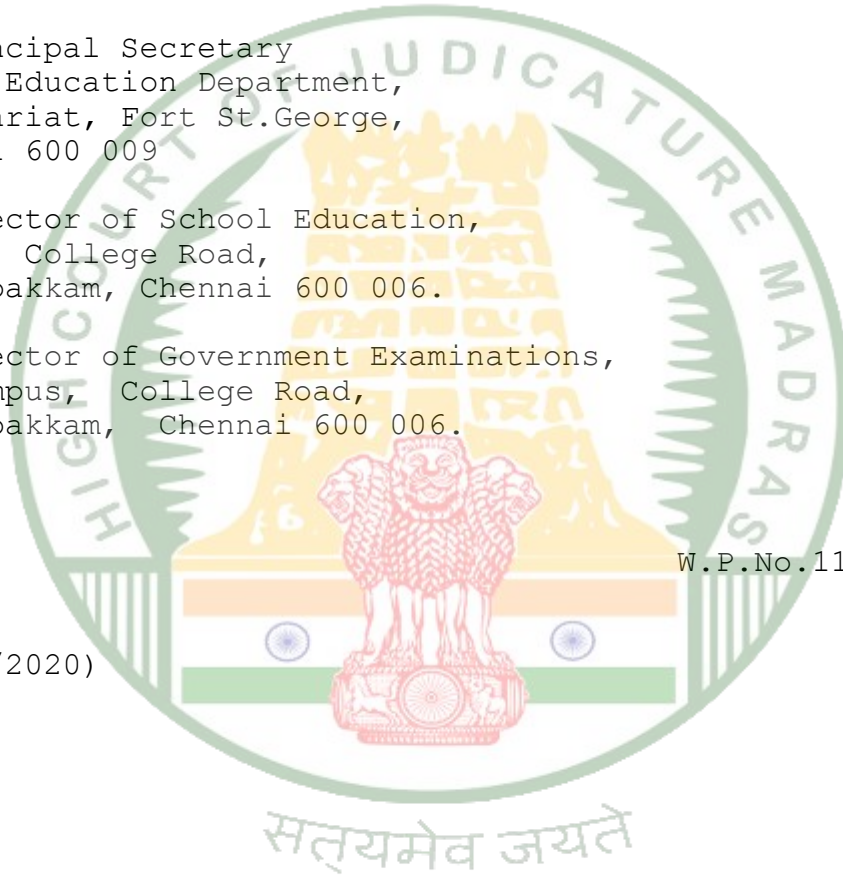
Sub Assistant Registrar

To

- 1.The Principal Secretary
School Education Department,
Secretariat, Fort St.George,
Chennai 600 009
- 2.The Director of School Education,
No. 17, College Road,
Nungambakkam, Chennai 600 006.
- 3.The Director of Government Examinations,
DPI Campus, College Road,
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W.P.No.11394 of 2020

MG (CO)
RV (03/09/2020)



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