

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.09.2020

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

WP No.12173 of 2020

M.Kumaresan

...Petitioner

Vs.

1. The Principal Secretary to Government,
School Education Department,
Fort St. George,
Chennai 600 009.
2. The Chief Educational Officer,
Chengalpattu,
Chengalpattu District.
3. The Head Master,
Government Boys Higher Secondary School,
Nandivaram, Chengalpattu District.

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 and 2 to pass orders on the representation dated 16.06.2020 by considering the petitioner's son along with other all pass 10th students for the academic year 2019-2020.

For Petitioner : Mr.T.Velu

For Respondents : Mrs.V.Annalakshmi,
Government Advocate.

ORDER

This writ petition has been for the issue of writ of Mandamus directing the respondents 1 and 2 to consider the representation made by the petitioner on 16.06.2020 and to declare that the son of the petitioner has passed in the 10th std examination conducted during the academic year 2019-2020.

2. It is seen from records that the petitioner's son had joined the 3rd respondent school in the 10th std on 10.06.2019.

The petitioner's son stopped going to the school from September 2019 itself on account of some medical problems faced by him. The petitioner's son neither wrote the quarterly examination nor the half-yearly examination.

3. The petitioner made a representation to the respondents 1 and 2 to give the benefit of Government Order and declare the petitioner's son as passed in the 10th standard.

4. Heard the learned counsel appearing for the petitioner and Mrs.V.Annalakshmi, learned Government Advocate appearing on behalf of respondents.

5. A careful reading of the written instructions received by the learned Government Advocate, which was communicated through email, shows that the petitioner's son after joining in the 10th Standard during June 2019, has stopped going to the school from September 2019 onwards. The petitioner's son has not written both the quarterly and half-yearly examination. The petitioner's son has also not filled up the declaration form and his name was not sent in the list of students, who were to take the 10th std examination.

6. In the considered view of this Court, the Government Order dated 16.06.2020 will not enure to the benefit of the Petitioner's son, since he has not written both the quarterly and half-yearly examination and he does not also fulfill the attendance requirement. Therefore, the petitioner's son is not entitled for the benefit of the Government Order. No useful purpose will be served in directing the respondents 1 and 2 to consider the representation made by the petitioner.

7. Accordingly, this writ petition is dismissed. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

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

2. The Chief Educational Officer,
Chengalpattu,
Chengalpattu District.
3. The Head Master,
Government Boys Higher Secondary School,
Nandivaram, Chengalpattu District.

+1cc to The Government Pleader, SR.No. 29263/2020

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KK (CO)
RN (23/10/2020)



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