

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :14.12.2020

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.18437 of 2020
and
W.M.P.No.22862 of 2020

N C Laleeth Kaneesh
Represented by his Father
Mr.B.N.Chandrasekar
No. 1515-B Type, TNHB Colony
Velacherry, Chennai - 600 042.

...Petitioner

Vs.

1. The Government of Tamil Nadu
Rep by its Secretary
Education Department
Fort St. George, Chennai - 600 009.
2. The Member Secretary
State Board of School Examinations (SEC)
Tamil Nadu
3. The Joint Director
Higher Secondary
Directorate of Government Examinations
Nungambakkam, Chennai 600 006.

...Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari to call for the records relating to the order passed by the 3rd respondents in Na.Ka.No.026098/h3/2020 dated 29.10.2020 and quash the same and consequently direct the respondents to declare the petitioner as passed in the Commerce subject in second year of Higher Secondary Examinations.

For Petitioner : Mr.R.Karunagaran

For Respondents: Mr.Munusamy,
Special Government Pleader

ORDER

This Writ Petition has been filed challenging the impugned order passed by the third respondent dated 29.10.2020, wherein the request made by the petitioner to declare him as pass in the Commerce subject in the second year of Higher Secondary examination was rejected by the third respondent.

2. Heard Mr.R.Karunagaran, learned counsel for the petitioner and Mr.Munusamy, learned Special Government Pleader for R1 to R3.

3. The petitioner wrote his Plus Two examination in March 2020. During the said academic year, due to the pandemic situation, the State Government took a policy decision to declare as pass all the students. For some reasons, the petitioner applied for revaluation of the second year results and pursuant to such a request, the revaluation was made and the mark secured by the petitioner in Economics was revised as 39 marks and the marks secured in Commerce subject was revised as 23 marks. In view of the same, these marks were taken into consideration and the petitioner was informed that these marks do not enable the petitioner to be declared as pass in the plus two examination. Aggrieved by the same, the present Writ Petition has been filed before this Court.

4. In the considered view of this Court, G.O.Ms.No.77, dated 07.05.2001 makes it very clear that whatever marks are granted after revaluation will be final. The petitioner having consciously applied for revaluation should also be ready for the consequences of the same. This Court does not find any ground to interfere with the impugned proceedings of the third respondent and the petitioner can always take these examinations again and secure good marks and thereafter proceed with further studies.

5. In the result, this Writ Petition is dismissed. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

sai

To

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

2. The Member Secretary
State Board of School Examinations (SEC)
Tamil Nadu

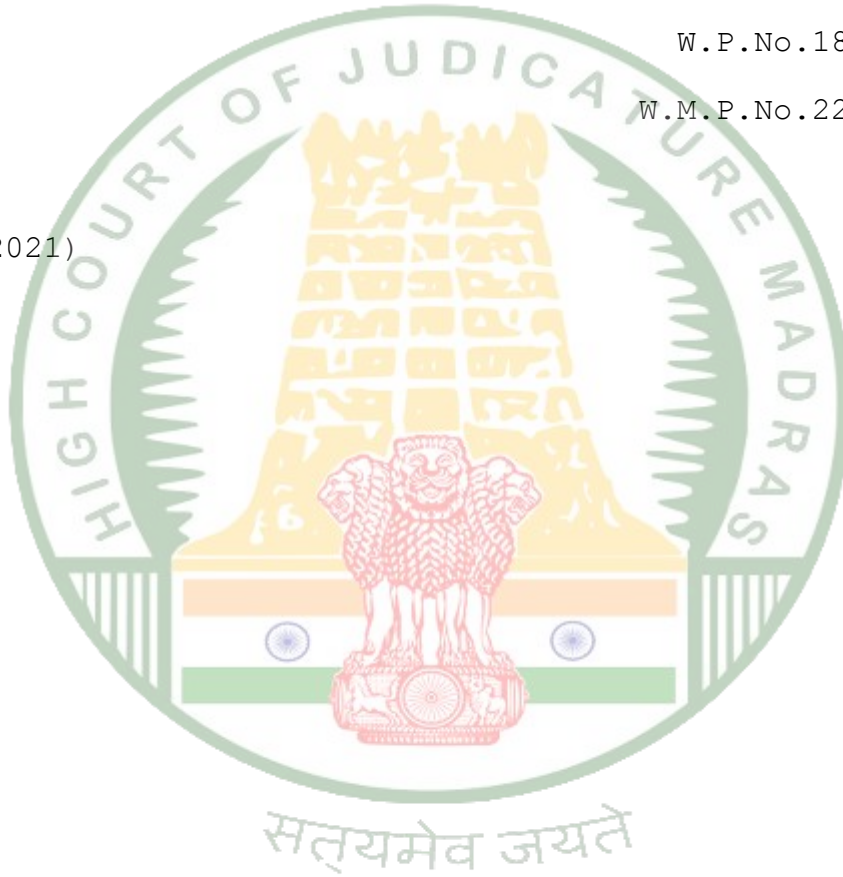
3. The Joint Director
Higher Secondary
Directorate of Government Examinations
Nungambakkam, Chennai 600 006.

+1cc to Mr.R.Karunagaran, Advocate, S.R.No.41383

+1cc to the Government Pleader, S.R.No.41085

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and
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