



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.01.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.S. SUNDAR

W.P.(MD).No.1049 of 2020

and W.M.P.(MD).Nos.836 & 837 of 2020

V.Anil Kumar

.. Petitioner

Vs.

1.The Chairperson,

Central Board of Secondary Education,  
Shiksha Kendra, Community Centre,  
Preet Vihar, Delhi - 100 092.

2.The Regional Officer,

Central Board of Secondary Education,  
1630A, J Block, Anna Nagar (West),  
Chennai - 600 040.

3.The Principal,

Chettinad Public School,  
70E, Madurai Main Road,  
Managiri, Karaikudi.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Certiorarified Mandamus calling for the records of the impugned order of the 2<sup>nd</sup> respondent in CBSE:RO (M):CEN-INT/2020, dated 31.12.2019 and quash the same and further directing the 2<sup>nd</sup> respondent to allot the petitioner School as the self examination centre for its students to appear in the upcoming AISSE Examinations for the academic year 2019-2020.

For Petitioner : Mr.K.Jeyamohan

For Respondents : Mr.P.Karthik  
1 and 2

### **ORDER**

This Writ petition has been filed challenging the order passed by the second respondent, dated 31.12.2019 and consequently, to direct the 2<sup>nd</sup> respondent to allot the petitioner School as the self examination centre for its students to appear in the upcoming AISSE Examinations for the academic year 2019-2020.



2.The petitioner school was started in the year 2009 and it was affiliated to Central Board of Secondary Education from the year 2012. Though there are 275 students studying in the petitioner's school and it is stated that it is the only school affiliated to CBSE in Devakottai Taluk, it appears that the strength of 10<sup>th</sup> standard is only 22. By the impugned order, dated 31.12.2019, different centre was earmarked for the students of petitioner's school to attend the 10<sup>th</sup> standard public examinations in this academic year 2019-2020. The petitioner was also requested to appraise the students who are appearing for the examination and other conditions. Challenging the order passed by the second respondent, the above writ petition is filed.

3.The learned counsel appearing for the respondents 1 and 2 relied upon the clause 33.1 of the Norms for Fixation of Examination Centre in places other than New Delhi. Clause 33.1 reads as follows:

**33.1.General Conditions**

(i) For the purpose of fixing the examination centres, cities will be classified under the following three categories:

- (a) Single School Cities
- (b) Multiple School Cities
- (c) Foreign Countries

(ii) Examination centres shall be fixed in any school after considering the availability of appropriate facilities like sufficient number of rooms with ventilation, fan, light and furniture.

(iii) An examination centre shall be created subject to availability of bank/treasury facilities for the safe custody of question papers etc., as per requirement of the Board.

(iv) Except for Single School Cities, Students shall have the examination centre other than their own school, as far as practicable."

4.Similarly, he also relied upon Clause 33.2, which is also read as follows:

**"33.2.Single School Cites**

(i) Subject to the fulfilment of conditions as given under Clause 33.1, the school itself may be the examination centre, provided.

(a) it presents at least 30 candidates for Class X, if it is affiliated upto secondary stage:

(b) it presents at least 50 candidates for Classes X and XII taken together, if it is affiliated upto +2 stage; and

(c) the school should complete two years of its affiliation to the Board

(iv) In respect of such schools, the Centre



*Superintendent and Supervisory staff shall be appointed from among those who are not employees of the school or the trust running it. Centre Superintendent as far as possible, will not be from the same city."*

5.From Clause 33.2, it is evident that unless there are students more than 30 for Class X, the school itself will not be the examination centre. Since the students strength falls short of 30 in the petitioner's school, the second respondent cannot be compelled, to fix the petitioner's school to be the examination centre for the students who are writing 10<sup>th</sup> standard examinations. Since the impugned order has been already passed this year, this Court is not inclined to give any further direction to the respondent to consider the representation of the petitioner even on the basis of inconvenience caused to the students of the school. It is left open to the petitioner to approach the second respondent, if the petitioner has special grievance for driving his students to take their examinations to different school which is far away from the petitioner's school. When such a representation is submitted by the petitioner for the next academic year, the second respondent or any other competent authority shall pass orders on merits.

6.With the above observation, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TM

To

1.The Chairperson,

Central Board of Secondary Education,  
Shiksha Kendra, Community Centre,  
Preet Vihar, Delhi - 100 092.

2.The Regional Officer,

Central Board of Secondary Education,  
1630A, J Block, Anna Nagar (West),  
Chennai - 600 040.

+1 CC to M/s.P.KARTHIK, Advocate ( SR-3612[F] dated 29/01/2020 )

W.P.(MD).No.1049 of 2020

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