



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.02.2020

CORAM:

**THE HONOURABLE MR.JUSTICE M.DURAI SWAMY
and
THE HONOURABLE MR.JUSTICE T.RAVINDRAN**

W.P. (MD) No.2307 of 2020

and

W.M.P. (MD) Nos.1961 & 1962 of 2020

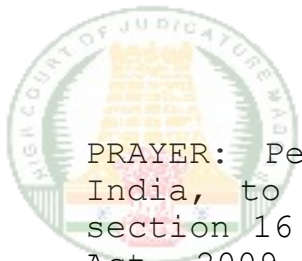
M.Karthick

... Petitioner

-vs-

- 1.The Secretary to Government of India
Ministry of Law and Justice
Shastri Bhawan
New Delhi-110 115
- 2.The Under Secretary to the Government of India
Ministry of Human Resource Development
Department of School Education & Literacy
1S-3 Section, Room No.407-C, Shastri Bhawan
New Delhi-110 115
- 3.The Principal Secretary
The State Government of Tamil Nadu
School Education (MS) Department
Secretariat, Fort St.George, Chennai-600 009
- 4.The Director of Elementary Education
O/O.The Directorate of Elementary Education
Chennai-600 006
- 5.The Director of Government Examinations
Directorate of Government Examinations
Chennai-600 006
- 6.The Chairman
The State Commission for Child Rights
The State of Tamil Nadu
183/1, EVR Periyar Salai
Poonamalli High Road
Dasspuram, Kilpauk
Chennai-600 010

... Respondents



PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of declaration declaring the Amendment to section 16 of the Right of Children to Free and Compulsory Education Act, 2009 as notified in the Gazette of India dated 10.01.2019 on the file of respondent No.1 and the consequential G.O.Ms.164, School Education (MS) Department, dated 13.09.2019, on the file of the respondent No.3 as illegal and consequently direct the respondents to cancel the Public (Board) examination for 5th and 8th classes to be conducted at the state level.

For Petitioner : Ms.A.Rajini

For Respondents : Mr.M.Karthikeya Venkitachalapathy
Central Government Standing Counsel for R1 & R2
Ms.S.Srimathy
Special Government Pleader for R3 to R5

O R D E R

[Order of the Court was made by M.DURAISWAMY, J.]

The learned counsel appearing for the petitioner submitted that since the Government has already withdrawn the Government Order in G.O.(Ms). No164, School Education (MS) Department, dated 13.09.2019, the relief sought for in the writ petition has become infructuous.

2. Ms.S.Srimathy, learned Special Government Pleader appearing for the respondents 3 to 5, submitted that the Government has already withdrawn the abovesaid Government Order.

3. In view of the submissions made by the learned counsel appearing on either side, the writ petition is dismissed as infructuous. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



To:

- 1.The Principal Secretary,
The State Government of Tamil Nadu,
School Education (MS) Department,
Secretariate, Fort St.George,
Chennai-600 009.
 - 2.The Director of Elementary Education,
O/O.The Directorate of Elementary Education,
Chennai-600 006.
 - 3.The Director of Government Examinations,
Directorate of Government Examinations,
Chennai-600 006.
- +1 CC to M/s.M.KARTHIKEYA VENKATACHALAPATHY, Advocate (SR-4991[F]
dated 06/02/2020)
- +1 CC to M/s.Special Govt.Pleader (SR-5196[F] dated 07/02/2020)

W.P. (MD) No.2307 of 2020

and

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06.02.2020

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