



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.12.2020

CORAM

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P. (MD)No.18383 of 2020

M.Palanikumar

...Petitioner

-Vs-

1.The Secretary to Government,
School Education Department,
Secretariat,
Chennai-600 009.

2.The Director of Government Examination,
College Road,
Chennai-600 006.

3.The Joint Director of Government Examination,
Office of the Joint Director of Government Examination,
Madurai-2.

4.The District Educational Officer,
Madurai District,
Madurai.

...Respondents

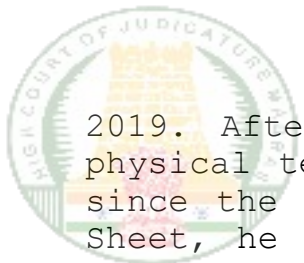
Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents to issue the duplicate 10th Mark Certificate to the petitioner.

For Petitioner : Mr.R.Venkatesan
For Respondents : Mrs.Lakshmi Prasanna
Government Advocate

ORDER

This Writ Petition has been filed, seeking a direction to the respondents to issue the duplicate 10th Mark Certificate to the petitioner.

2. The case of the petitioner is that he belongs to BC community and he studied 10th Standard at Mangaiyarkarasi Higher Secondary School and passed in the year 2013 and secured 292 marks out of 500 marks. Since he lost his original 10th Mark Sheet, he applied for Certified Copy of Marks(CCM) and duplicate certificate of Mark Sheet on 16.07.2019. Further, he received Certified Copy of Marks on 02.12.2019, but he could not able to get duplicate certificate though he paid Rs.505/- on 16.07.2019. Therefore, the Head Master forwarded the representation of the petitioner dated on 16.07.2019 to the Joint Director of Government Examination/2nd respondent herein for taking further action. The petitioner has applied for the post of Grade-II Constable, Grade-II Jail Warders and Firemen in the Tamil Nadu Uniformed Services Recruitment Board,



2019. After qualified in the written examination as well as the physical test and during the process of Certificate verification, since the petitioner has produced only the xerox copy of 10th Mark Sheet, he was disqualified from the selection by way of impugned order passed by the Chairman, TNUSRB, Chennai. Aggrieved by the same, the petitioner filed a writ petition in W.P.(MD).No.2857 of 2020 to set aside the impugned order and to direct the respondents to allow him to participate in the further selection process for the above said post. On 18.03.2020, this Court directed the respondents to reconsider the issue and pass fresh orders as per the order of the Hon'ble Apex Court reported in **2005(9)SCC 779 (Dolly Chhanda vs. Chairman and others)** as well as the order of this Court dated 18.07.2017 made in W.P.(MD).No.18200 of 2017 (**G.Gnanavel vs. the Director General of Police and others**). Therefore, the petitioner made a representation to the second respondent on 17.09.2020 to issue duplicate 10th Mark Sheet to appear in the future recruitment. Since no effective efforts have been taken, he has approached this Court seeking aforesaid prayer.

3.This Court without going into the merits of the case, directs the second respondent to consider the representation of the petitioner dated 17.09.2020 in accordance with law, after affording opportunity to the petitioner within a period of one month from the date of receipt of a copy of this order, preferably on or before 01.03.2021.

4. This Writ Petition stands disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (Crl.Side)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

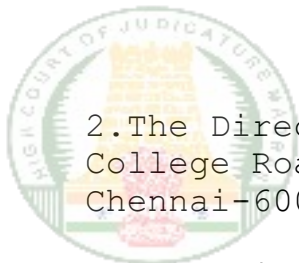
PJL

Note:In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Secretary to Government,
School Education Department,
Secretariat,
Chennai-600 009.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Director of Government Examination,
College Road,
Chennai-600 006.

3.The Joint Director of Government Examination,
Office of the Joint Director of Government Examination,
Madurai-2.

4.The District Educational Officer,
Madurai District,
Madurai

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