



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 23.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.15225 of 2021

G.Mukesh Gopi

... Petitioner

Vs.

1.Government of Tamilnadu,
rep. by Principal Secretary to Government,
Higher Education Department,
Secretariat, Chennai 600 028.

2.The Director of Technical Education,
Chennai 600 025.

3.The Chairman,
Commercial Subjects Examination Board,
Directorate of Technical Education,
Chennai 600 025.

... Respondents

Prayer: Writ petition filed under Section 226 of the Constitution of India seeking to issue a writ of Mandamus directing the respondents R1 to R3 to conduct the examinations in Commercial Subjects (Typewriting and Shorthand (Tamil and English/Junior Grade,/ Junior Grade and Senior Grade) etc., in ensuing month August 2021 as per condition prescribed in the guidelines and as per G.O.Ms.No.153 Higher Education (B1) Department dated 27.10.2020 and G.O.Ms.No.237, Revenue and Disaster Management Services (DM4) Department dated 08.02.2021.

For petitioner : Mr.J.Muthukumaran

For respondents : Mr.M.R.Gokul Krishnan,
Govt. Adv. for R1 to R3

ORDER

This writ petition has been filed seeking to issue a writ of Mandamus directing the respondents R1 to R3 to conduct the examinations in Commercial Subjects (Typewriting and Shorthand (Tamil and English/Junior Grade,/ Junior Grade and Senior Grade) etc., in ensuing month August 2021 as per condition prescribed in the guidelines and as per G.O.Ms.No.153



Higher Education (B1) Department dated 27.10.2020 and G.O.Ms.No.237, Revenue and Disaster Management Services (DM4) Department dated 08.02.2021.

2. The petitioner is a student undergoing training in Typewriting (Tamil and English) and Shorthand (Tamil and English). Due to covid-19 and the Ban under Section 144 of Cr.P.C. issued by the Government, all the offices of the Central Government and the State Government were closed for the first two months from 23.03.2020 and thereafter, it was being relaxed in a phased manner. Subsequently, the Government by G.O.Ms.No.153 dated 27.10.2020 permitted to conduct the examinations in commercial subjects. Further vide G.O.Ms.No.237 dated 08.02.2021, detailed guidelines for such examinations was issued. However, the respondents failed to announce the schedule for these examinations. Hence, the petitioner and similarly placed students have submitted a detailed representation dated 21.10.2020 to the Chairman of the Examination Board. Thereafter, the petitioner filed W.P.No.5134 of 2021 before this court to issue appropriate directions to consider his application. Pending writ petition, a copy of the notification dated 06.03.2021 was produced, by issuing time-table to conduct the examinations from 10.04.2021 to 25.04.2021. But the above examinations were not conducted, due to the fact that the second wave of corona virus was in its peak.

2.1. Hence, the petitioner and similarly placed students have given a demand notice dated 2.4.2021 to the first and second respondents to issue a notification to conduct the examinations in commercial subjects in the month of August 2021. But, there was no response. Hence, this writ petition.

3. Mr.M.R.Gokulkrishnan, learned Standing Counsel for the Government takes notice for the respondent.

4. By consent of both the counsels to the parties, this matter has been taken up for final disposal.

5. The learned counsel appearing for the respondents submitted that the request of the petitioner will be considered, based on the relaxation granted by the Government.

6. In view of the above submission made by the counsel for the respondents, this court directs the first respondent to consider the representation of the petitioner and to take appropriate decision in accordance with the notification issued by the Government, by granting relaxation for conducting Examinations in Commercial Subjects.



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7. With the above direction, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

mst

To

1.The Principal Secretary to Government,
Government of Tamilnadu,
Higher Education Department,
Secretariat, Chennai 600 028.

2.The Director of Technical Education,
Chennai 600 025.

3.The Chairman,
Commercial Subjects Examination Board,
Directorate of Technical Education,
Chennai 600 025.

+1cc to Mr.J.Muthukumaran, Advocate SR No.35277
+1cc to Government Pleader SR No.35543

W.P.No.15225 of 2021

PL (CO)
PR (24/08/2021)