



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 21.09.2021

CORAM:

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THE HONOURABLE Mr.JUSTICE N.ANAND VENKATESH

W.P. No.20098 of 2021

R.Babu
Represent on behalf of his minor
D/o.kumari B.Hemasir, F/o.Kumari B.Hemasri .. Petitioner

Vs

1.The Controller of Examiner,
Central Board of Secondary Education
(Regional Office)
No.3 Old No.1630A J Block 16th
Main Road, Anna Nagar,
(Near Thirumangalam Signal)
Behind Sridevi hospital, Chennai 40

2.The Vice Principal
Kendriya Vidyalaya, AFS, Avadi
Chennai 55 ..Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondents clarification of marking scheme that took place this year for low marks given to the student.

For Petitioner : Ms.J.Muthuchelvi
For Respondents : Mr.G.Nagarajan
Standing counsel for R1

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the respondents to reconsider the marks that were awarded to the daughter of the petitioner, who underwent 10th standard in the 2nd respondent School.

2.Heard the learned counsel for the petitioner and the learned standing counsel for the first respondent.

3.The case of the petitioner is that his daughter was studying in the 10th standard before the second respondent School. Due to the Pandemic situation, the first respondent was not able to conduct the examinations and therefore, marks were awarded in accordance with the guidelines that were issued by the CBSE, which was confirmed by the Hon'ble Supreme Court.



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4. The grievance of the petitioner is that his daughter has been awarded very low marks and many students, who had earlier scored poorly had got very high marks and therefore, the petitioner is seeking for a re-look into the marks awarded to his daughter.

5. It is seen from the records that the request made by the petitioner was already considered by the second respondent and the tabulation of marks was referred to the concerned committee. The concerned committee had gone through the tabulation of marks as per the CBSE guidelines and found it to be in order. The second respondent has therefore advised the petitioner to make his daughter take the examination that is scheduled to be conducted by CBSE, if she is not satisfied with the marks scored in the 10th standard.

6. In the considered view of this Court, there is no scope for interfering with the decision taken by the second respondent, since the marks have been awarded in line with the CBSE guidelines. If the petitioner finds that the marks are low, it is always left open to the petitioner to make his daughter write the examination once again, which is scheduled to be conducted by the CBSE. Except granting this liberty, no further orders can be passed in this writ petition.

7. This writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

RR

To
The Controller of Examiner,
Central Board of Secondary Education
(Regional Office)
No.3 Old No.1630A J Block 16th
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SR II
A.SK(12.10.2021)