



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2021

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.20351 of 2021

Minor T.Sanjai
rep. by his mother and Natural Guardian,
Mrs.Lalitha ...Petitioner

vs.

1. The Regional Officer,
Central Board of Secondary Education,
1630-A, J Block,
Anna Nagar (West),
Chennai 600 040.
2. The Principal,
ABS Vidhya Mandhir,
Iveli Agaram,
Thiruvallur District.
3. The Secretary,
ABS Vidhya Mandhir,
Iveli Agaram,
Thiruvallur District. ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the Respondents to provide the Petitioner with the entire mark sheets for all the examinations he has attended in XI Standard and XII Standard along with the answer sheets.

For Petitioner	:	Mr.G.Karthikeyan
For 1 st Respondent	:	Mr.G.Nagarajan
For Respondents 2 & 3	:	Mr.S.R.Rajagopal, Senior Counsel

O R D E R

Minor Petitioner, represented by his Mother, has come up with this Writ Petition seeking a direction to the Respondents



to provide him entire mark sheets for all the examinations he has attended in XI Standard and XII Standard along with the answer sheets.

2. According to the Petitioner, in XI Standard examination, out of 6 subjects, he wrote examination for 4 subjects. He could not write examination for 2 subjects, viz. Physics and Chemistry, as he was suffering from Chickenpox. In the other 4 subjects, which the Petitioner attended, the 2nd Respondent provided marks only for two subjects, viz. English and Maths. The Petitioner scored 90/100 in English and 81/100 in Maths. However, marks scored in the other two subjects were not provided to him. He wrote re-examination for Physics on 21.03.2020. However, he could not write Chemistry examination on 23.03.2020, on account of Covid-19 lockdown.

3. It is further stated by the Petitioner that, in XII Standard Pre-Board Examination - I, he attended examinations for all subjects and obtained II Rank. Even in Pre-Board Examination - II, he wrote all subjects. However, the Petitioner was not provided with Mark statements for both Board Examinations. On 30.07.2021, XII CBSE Board Examination results were published and the Petitioner secured 474/600 (79%).

4. It is the case of the Petitioner that, he should have scored more marks based on his previous performances and that, the Management had not followed proper calculation, based on the norms given by CBSE Board. As he did not receive proper response from the School Management in this regard, the Petitioner sent a mail under RTI Act on 01.08.2021 to the 1st Respondent requesting for photocopy of the Report Card along with the Answer Sheets of Standard XI and XII of all subjects. On 03.08.2021, the Petitioner received a reply stating that, "the Applicant informed that, the information/documents sought are not held by this Office. Hence, this Office is not in a position to furnish the same". Even after several representations, as there is no response from the Respondent/Management, the Petitioner has come up with the present Writ Petition.

5. When the matter was taken up for hearing, learned counsel for the Petitioner submitted that, during the pendency of the Writ Petition, the Respondent/Management has provided Mark Statements of the Petitioner, however, they have not provided his Answer Sheets for XI Standard and XII Standard and that, the Respondent/Management may be directed to provide the same to the Petitioner.

6. Mr.S.R.Rajagopal, learned Senior Counsel appearing for Respondents 2 and 3/Management submitted that, Answer Sheets of



the Petitioner for XI Standard and XII Standard are not available and that, Mark Statements of the Petitioner for XI and XII Standards have already been furnished to him.

7. Heard the learned counsel on either side and perused the material documents available on record.

8. As it is represented that, Answer sheets of the Petitioner for XI and XII Standard are not available with the Respondent/Management, and that, Mark Statements of the Petitioner for XI and XII Standard have already been furnished to him, nothing further survives for consideration in this Writ Petition.

9. In fine, the Writ Petition is closed with liberty to the Petitioner to work out his remedy in the manner known to law, for not being provided with Answers Sheets for XI and XII Standard Examinations. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

(aeb)

To:

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

+1cc to M/s.Vijayalakshmi Rajagopal, Advocate, S.R.No.62197

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NSK 09/12/2021