



BEFORE THE MADURAI BENCH OF MADRAS HIGH Court

DATED: 15.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD)No.7833 of 2021

(Through Video Conferencing)

WEB COPY

D.Suresh Kumar

... Petitioner

Vs.

- 1.The Director,
The Directorate of School Education,
College Road,Nungambakkam,
Chennai.
- 2.The Director,
The Directorate of Government Examinations,
DPI Complex, College Road,
Nungambakkam, Chennai.
- 3.The Joint Director,
The Directorate of Government Examinations
Madurai Regional Officer, Madurai.
- 4.The Chief Educational Officer,
Theni District, Theni.
- 5.The District Educational Officer,
Uthammapalayam
Theni.
- 6.The CNMS Sivakami Matriculation
Higher Secondary School
Ponnagar Road,
Chinnamanur
rep. by its Principal

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondents to include the petitioner's son viz., S.Srithar (EMIS No.3325030011000325) in the 6th respondent's school Nominal Roll for the 10th standard and declare him as pass for the year 2020-2021 in accordance with GO (Nilai) No.48 dated 25.02.2021 by considering the petitioner's representation dated 10.03.21 and pass orders on merits and in accordance with law within a period that may be stipulated by this Court.



For Petitioner : Mr.M.Jerin Mathew
For Respondents : Mr.J.Gunaseelan Muthiah
(R1 TO R5) Additional Government Pleader

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ORDER

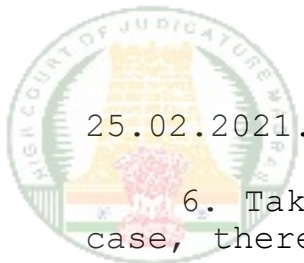
This writ petition has been filed for the issue of writ of mandamus directing the respondents to act upon the letter submitted by the 6th respondent School on 02.03.2021 and to declare the petitioner's son as "passed" in the 10th standard, in line with G.O.No.48 dated 25.02.2021.

2. The petitioner is the father of Mast.Sridhar, who was studying in the 6th respondent school in the 10th standard during the academic year 2019-20. Due to the Pandemic situation, the Government took a policy decision to declare as "passed" all the 10th standard students. According to the petitioner, the 6th respondent School, while submitting the list of candidates, left out the name of the son of the petitioner and as a result of the same, the son of the petitioner did not get the advantage of the policy decision of the Government.

3. In view of the continuation of the Pandemic, the Government has again taken a decision to declare all the students studying in 9th, 10th and 11th standards as "passed" by virtue of G.O.No.48 dated 25.02.2021. The petitioner, therefore, wanted to take advantage of this Government Order and at least get his son declared as "passed" for the academic year 2020-21. According to the petitioner, the 6th respondent School has already informed the 5th respondent that the son of the petitioner was left out from the list and his name should be added to the list of students, who will be declared as "passed" by virtue of the Government Order. In spite of this letter sent by the 6th respondent school, there was no response from the official respondents and therefore, the petitioner made a fresh representation to the respondents on 10.03.2021. Since the same did not evoke any response, the present writ petition has been filed before this Court seeking for appropriate direction.

4. Heard Mr.M.Jerin Mathew, learned counsel for the petitioner and Mr.J.Gunaseelan Muthiah, learned Special Government Pleader, appearing on behalf of the respondents.

5. The learned Special Government Pleader appearing on behalf of the official respondents submitted that the 5th respondent, by letter dated 22.03.2021, has sought for details from the 6th respondent School in order to act upon the representation made by the petitioner. The learned counsel further submitted that on receiving the details from the 6th respondent School, the official respondents will take a decision in line with the G.O.No.48 dated



25.02.2021.

6. Taking into consideration the facts and circumstances of the case, there shall be a direction to the sixth respondent to furnish all the details immediately to the 5th respondent pursuant to the letter dated 22.03.2021 and the same shall be forwarded to the 2nd respondent through the 5th respondent in order to enable the 2nd respondent to take a decision in line with G.O.No.48 dated 25.02.2021. This process shall be completed within three weeks from the date of receipt of a copy of this order.

7. This writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

RR

Note:(1) 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 Director,
The Directorate of School Education,
College Road,Nungambakkam,
Chennai.
- 2.The Director,
The Directorate of Government Examinations,
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- 3.The Joint Director,
The Directorate of Government Examinations
Madurai Regional Officer, Madurai.
- 4.The Chief Educational Officer,
Theni District, Theni.
- 5.The District Educational Officer,
Uthamapalayam
Theni.



+1 CC to M/s.SPL GP (SR-15963[F] dated 16/04/2021)

+1 CC to M/s.M.JERIN MATHEW, Advocate SR-16063[F] dated 16/04/2021

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15.04.2021

MA (CO)

TR(16.04.2021) 4P 8C