



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :29.10.2021

CORAM

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P(MD) .No.19205 of 2021

and

W.M.P(MD) .No.15931 of 2021

WEB COPY

Karthikeyan

... Petitioner

Vs.

1.The Director of Government Examinations,
DPI Campus,
College Road, Chennai.

2.The District Collector,
O/o District Collector, Thanjavur.

3.The District Educational Officer,
Educational District, Thanjavur.

4.The Head Master,
Girls Christian Higher Secondary School,
Thanjavur.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents herein to include petitioner's daughter/K.Durga in the Nominal roll and further permit the petitioner's daughter to continue her 12th Standard in the fourth respondent school based on the recommendation made by the second respondent in his proceedings O.Mu.No.459/A7/2021 to the third respondent herein on the basis of petitioner's daughter's representation dated 04.10.2021.

For Petitioner

: Mr.R.Ilayaraja

For R1 to R3

: Mr.P.Subbaraj

Counsel for State

ORDER

The petitioner seeks consideration of a representation dated 04.10.2021 to permit his daughter to continue her 12th standard education in the fourth respondent school on the basis of the recommendations of the second respondent to the third respondent.

2.The petitioner states that his daughter was admitted to the 12th standard in the fourth respondent school. Pursuant thereto, she attended online classes and was provided the necessary books by the school. Her EMIS ID Number is said to be 332101027306234 and her Roll Number is said to be 10473. The petitioner states that her daughter was not permitted to attend class on the ground that her name had not been included in the nominal roll. On such basis, she was directed to re-appear in the 11th standard. Therefore, the



petitioner made a representation on 25.09.2021 to the Chief Minister's cell. Pursuant thereto, the second respondent made a recommendation on 09.10.2021 that she should be allowed to continue in the 12th standard. The present writ petition is filed because the said recommendation was not acted upon.

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3.Mr.P.Subbaraj, learned counsel for the State, accepts notice for respondents 1 to 3. He submits that the second and third respondents may be directed to act on the representation by taking into account the proceedings dated 09.10.2021.

4.The petitioner has enclosed a copy of the communication dated 09.10.2021 from the District Educational Officer, Thanjavur. The said communication encloses the letter dated 17.06.2021 from the fourth respondent school. By such communication, the Headmaster of the school has stated that the petitioner's daughter's name was not included in the nominal roll because she was admitted after such nominal roll had been prepared and despatched. By such communication, it was also indicated that her name had been registered under EMIS. In view of the fact that the Headmaster of the school has also indicated the school's position under communication dated 17.06.2021, the writ petition is disposed of without notice to the school.

5.Thus, it appears that the petitioner's daughter has been put to prejudice for no fault of the petitioner or his daughter. Consequently, this issue should be resolved so as to enable the petitioner's daughter to continue her education in the 12th standard.

6.Subject to the above observations, W.P.(MD).N).19205 of 2021 is disposed of by directing the second and third respondents to consider the petitioner's representation dated 04.10.2021 and initiate action on such basis by taking into account the observations in this order as also the communications from the Headmaster of the school and the District Educational Officer. The entire exercise shall be concluded within a period of fifteen (15) days from the date of receipt of a copy of this order. Until such time that a decision is taken, the petitioner's daughter shall be permitted to attend online classes so as to not jeopardize her education especially considering that she is in the 12th standard. However, there will be no order as to costs. Consequently, W.M.P. (MD)No.15931 of 2021 is closed.

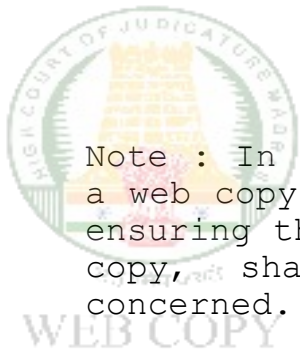
Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



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 Director of Government Examinations,
DPI Campus,
College Road, Chennai.

2.The District Collector,
O/o District Collector,
Thanjavur.

3.The District Educational Officer,
Educational District,
Thanjavur.

+1 CC to M/s.R.ILAYARAJA, Advocate (SR-33298[F] dated 29/10/2021)

+1 CC to M/s.SPL.GP (SR-33355[F] dated 01/11/2021)

W.P(MD).No.19205 of 2021

and

W.M.P(MD).No.15931 of 2021

29.10.2021

VR(CO)

GC/PM(17.11.2021) 3P 6C