



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.03.2022

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.A.No.400 of 2022

R.Babu,
representing on behalf of his
minor daughter Kumari B.Henasri. .. Appellant/ 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

Writ Appeal filed under Clause 15 of the Letters Patent, against the order dated 21.09.2021 in W.P.No.20098 of 2021.

Prayer in WP.No.20098 of 2021: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of writ of Mandamus, to direct the respondents clarification of marking scheme that took place this year for low marks given to the student.

For the Appellant : Mr.B.Janarthkumar

JUDGMENT

(Delivered by the Hon'ble Chief Justice)

The appellant herein has filed the writ petition for issuance of a direction on the respondents to clarify the marking scheme that resulted in awarding of low marks to the appellant's daughter.

2. The writ court dismissed the writ petition finding no merit and otherwise we find the ultimate grievance of the



appellant is with regard to award of low marks to his daughter.

3. The facts narrated by learned counsel for the appellant show that his daughter could not take certain examinations due to blockage of the ID, resulting in award of lower grade. A challenge to the blockage of ID with a prayer to permit her to take examination to get her grade upgraded is not made. The prayer in the writ petition was to clarify the marking scheme that resulted in awarding of low marks.

4. The prayer aforesaid was made without realizing that it was the appellant's daughter who has not taken all the examinations, which resulted in her securing lower grade. If the appellant's daughter was deliberately not permitted to appear in the examinations, a challenge to it should have been made by seeking permission to appear in the examination, but without appearing in the examination, the appellant could not have prayed for award of higher marks.

Looking to the aforesaid, we do not find any error in the judgment of the learned Single Judge and, accordingly, finding no merit in the appeal, the same is dismissed. No costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

sasi

To:

1.The Controller of Examiner,
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No.3, Old No.1630A J Block,
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Behind Sridevi Hospital,
Chennai-40.

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

W.A.No.400 of 2022

NRL(CO)
SB(08/03/2022)