



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.02.2022

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.3782 of 2022  
and  
W.M.P.No.3911 of 2022

All India Private Schools Legal Protection Society,  
No.9, North Jaganatha Nagar, 1<sup>st</sup> Street  
Villivakkam, Chennai - 600 049.  
Rep by its Chairman,  
I.Manoharan Jeyakumar,  
S/o.Issac

...Petitioner

Vs

1. The State of Tamil Nadu,  
Rep. by its Principal Secretary to Government,  
School Education Department,  
Secretariat, Fort St.George,  
Chennai - 600 009.
2. The Commissioner,  
Directorate of School Education,  
DPI Campus, College Road,  
Chennai - 600 006.
3. The Director of Government Examinations,  
DPI Campus, College Road,  
Chennai - 600 006.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to allow the Member Schools of Petitioner Association to conduct Revision Test-I and Revision Test-II for 10<sup>th</sup> standard and 12<sup>th</sup> standard students with valuation of papers by the concerned teachers taking classes for the students, with return answer sheets to the students concerned, for better preparation for Public Examination, without payment of charges for Revision Test-I and Revision Test-II, in consideration of representation submitted by the petitioner Association dated 05.02.2022.



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For Petitioner : G.Sankaran

For Respondents : Mr.Abishek Murthy,  
Government Advocate  
[For School Education]

## O R D E R

The petitioner is the All India Private Schools Legal Protection Society and no objection is raised in regard to the maintainability of the writ petition by virtue of the status of the petitioner as aforesaid. They seek a direction to respondents to allow the Member Schools of Petitioner Association to conduct Revision Test-I and Revision Test-II for 10<sup>th</sup> standard and 12<sup>th</sup> standard students with valuation of papers by the concerned teachers taking classes for the students, with return answer sheets to the students concerned, for better preparation for Public Examination, without payment of charges for Revision Test-I and Revision Test-II, in consideration of representation submitted by the petitioner Association on 05.02.2022.

2. Mr.G.Sankaran, learned counsel appearing for the petitioner would submit that the petitioner only pursues the first limb of the prayer in regard to the return of the revision papers (Revision Test-I and Revision Test-II conducted for 10<sup>th</sup> and 12<sup>th</sup> Standards) in order to enable the students to take stock of their performance in the revision examination, evaluate their margin for improvement and accordingly put in adequate preparation and effort.

3. The second limb of the prayer relates to the charges imposed for the conduct of Revision Tests I and II and learned counsel for the petitioner conveys that the petitioner does not press this prayer.

4. As regards as the first limb, I find that the request of the students is legitimate. The revision tests being conducted for the Public Examination for X and XII Standards are rightly, being valued by teachers in schools other than the schools where the children study, as an assessment of their papers by an external agency would in a proper assessment of their performance, and betterment of the same.

5. As a consequence thereof, and to obtain full benefit of the aforesaid exercise of external valuation of the students must be given back their answer sheets in order that they are



aware of the manner of correction, the errors committed and areas where improvement is required.

6. In light of the aforesaid discussion, I accept the first limb of the prayer sought. Mandamus is issued to R-3 to take steps to forthwith to return the papers valued by teachers in other schools, to the concerned schools where the students study for onward transmission to the respective students. Mr. Abishek Murthy for the respondents clarifies that Revision Test-I has been conducted, and the papers evaluated and are presently in possession of the teachers. Revision Test-II is slated to be held on 28.03.2022.

7. The corrected papers of Revision Test-I are directed to be returned as above, within 48 hours from today.

8. This Writ petition is disposed as aforesaid, with no order as to costs. Connected Writ Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

Jeni/Svn

To

1. The Principal Secretary to Government,  
State of Tamil Nadu,  
School Education Department,  
Secretariat, Fort St. George,  
Chennai - 600 009.
2. The Commissioner,  
Directorate of School Education,  
DPI Campus, College Road, Chennai - 600 006.
3. The Director of Government Examinations,  
DPI Campus, College Road, Chennai - 600 006.

+1cc to Mr. G. Sankaran, Advocate SR. No. 12620  
+1cc to Government Pleader SR. No. 13167

W.P.No.3782 of 2022

AJS (CO)  
PR (31/03/2022)