



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.06.2022

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P. (MD) .No.4715 of 2012

and

M.P (MD) No.1 of 2012

R.Praveen

... Petitioner

Vs.

1.The Secretary to Government,
Education Department,
Fort Saint George,
Chennai.

2.The Director of Government Examinations,
Nungambakkam,
Chennai-6.

3.The Director,
Teachers Education Research and Training,
Chennai.

... Respondents

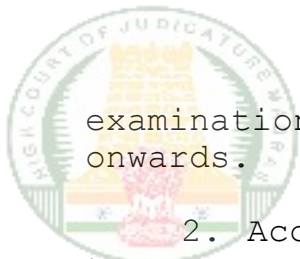
PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned Government order in G.O.Ms.No.6, dated 12.01.2010 passed by the first respondent in his proceedings and consequential order passed by the second respondent in his proceedings Na.Ka.No.104340/C2/2012, dated 20.02.2011 and quash the same and further directing the respondent Nos.1 & 2 to permit the petitioner to write the second year arrears examination in the subjects namely English, Science and Social Science in the old syllabus.

For Petitioner : M/s.Hallmark Associates

For Respondents : Mr.V.Nirmal Kumar
Government Advocate

ORDER

The present Writ Petition has been filed challenging G.O.Ms.No.6, dated 12.01.2010 passed by the first respondent herein under which the candidates would be required to appear for the



examination under the new syllabus from the academic year 2010-2011 onwards.

2. According to the petitioner, he joined the teacher training two years course in the academic year 2005-2007 and he could not appear for the examinations held in the year 2008. His request for appearing in the arrears examination was rejected citing G.O.Ms.No.6, dated 12.01.2010 and he was directed to appear afresh under the new syllabus after June 2011.

3. Admittedly, the petitioner has joined the course in the academic year 2005-2007 and he was having an opportunity to appear for the examinations under the old syllabus up to the academic year 2009-2010. However, the learned Counsel for the petitioner submits that though he has appeared for the examination in the year 2008, due to the litigations, the results were published only in the year 2011 and hence he could not appeared for the arrears examination under the old syllabus and hence, he is not at fault. However, when policy decision has been taken by the School Education Department to introduce a new syllabus from the academic year 2010-2011 onwards, the petitioner as an individual cannot seek any exemption and seek a Mandamus for appearing for the examination under the old syllabus. Hence, I do not find any merits in the present writ petition.

4. The Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(Records)

// True Copy //

/06/2022

Sub Assistant Registrar(CS)

btr

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 Secretary to Government,
Education Department, Fort Saint George,
Chennai.
 - 2.The Director of Government Examinations,
Nungambakkam, Chennai-6.
 - 3.The Director,
Teachers Education Research and Training,
Chennai.
- +1 CC to M/s.SPL.GP (SR-26565[F] dated 17/06/2022)

Order made in
W.P. (MD) .No.4715 of 2012
15.06.2022

kg (CO)
TR(24.06.2022) 3P 5C