



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.04.2022

CORAM

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P.(MD)No.4811 of 2022

WEB COPY

Mariyam Beevi

... Petitioner

vs.

- 1.The Block Educational Officer,
DEO Office, Melur, Madurai District.
- 2.The Chief Educational Officer,
Chief Educational Office, Tallakulam,
Madurai.
- 3.The Director of Metric School,
DPI Campus College Road, Chennai- 600 006.
- 4.The Principal,
Madurai Grascent Matriculation School,
Seethakathi Nagar, Kallampatti,
Chathirapatti Post, Madurai.
- 5.The Correspondent,
Jazz Public (Matric) School, Alagarkovil
Road, Melur, Madurai District.
- 6.The Principal
Jazz Public (Matric) School, Alagarkovil
Road, Melur, Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the fourth respondent to return the original certificates of the petitioner's daughter Subanu Begam based on her representation dated 30.10.2021 and consequently to direct the fifth and sixth respondents to permit the petitioner's daughter to write the 12th standard public examination.

For Petitioner	:Mr.S.Muniyandi
For R1 to R3	:Mr.N.GA.Nataraj Government Advocate
For R4 to R6	:No Appearance

**ORDER**

This Writ Petition has been filed for a Mandamus seeking for a direction to the fourth respondent to return the original certificates of the petitioner's daughter, Subanu Begam based on the petitioner's representation, dated 30.10.2021 and consequently, to direct the fifth and sixth respondents to permit the petitioner's daughter to write the 12th standard public examination.

2.It is the case of the petitioner that earlier, her daughter Subanu Begam studied in the fourth respondent school and the original certificates were submitted to the fourth respondent school, who is having the custody of the same. According to the petitioner, due to COVID-19 pandemic situation, the petitioner was unable to pay fees to the fourth respondent school and therefore, the petitioner joined the fifth respondent School, namely, Jazz Public (Matric) School, Alagarkovil Road, Melur, Madurai District.

3.According to the petitioner, her daughter, Subanu Begam is doing her 12th standard. Since Transfer Certificate is required to enable her daughter to write the 12th standard public examination at the fifth respondent school, the petitioner has given a representation on 30.10.2021 to the respondents 4 to 6 requesting the fourth respondent to return the original certificate of her daughter, Subanu Begam to the petitioner and also requesting the respondents 5 and 6 to permit the petitioner's daughter to write the 12th standard public examination. Since the said representation has not considered till date, the petitioner has filed this Writ Petition.

4.Heard Mr.S.Muniyandi, learned Counsel for the petitioner. On the last hearing date, ie., on 18.03.2022, Mr.N.GA.Nataraj, learned Government Advocate accepted notice on behalf of the respondents 1 to 3 and this Court had ordered notice to respondents 4 to 6. The respondents 4 to 6 have been duly served and their names have also been printed in the cause list today. Despite service of notice, they remained unrepresented.

5.According to the petitioner, only due to her financial position on account of COVID-19 pandemic lockdown, she was unable to pay school fees to the fourth respondent for her daughter. According to the petitioner, the fourth respondent demanded an exorbitant sum of Rs.2,00,000/- for returning the original certificates submitted by the petitioner. According to the petitioner, her daughter is now studying 12th standard and has to write the public examination this year. Unless and until the transfer certificate and other certificates are issued by the fourth respondent, the petitioner's daughter will not be able to write the 12th standard public examination.



6. After giving due consideration to the aforementioned factors, this Court is inclined to issue a direction to the fourth respondent to consider the petitioner's representation, dated 30.10.2021 requesting them for returning all the original certificates of her daughter, Subanu Begam to the petitioner including issuance of transfer certificate and also requesting the fifth and sixth respondent to permit the petitioner's daughter, Subanu Begam to write the 12th standard examination based on the petitioner's representation, dated 30.10.2021. Since the ensuing 12th standard examination is scheduled to take place in May-2022, the representation has to be necessarily considered before that date. No prejudice will be caused to any of the respondents, if such a direction is issued to the respective respondents.

7. For the foregoing reasons, this Court directs the fourth respondent to consider the petitioner's representation, dated 30.10.2021 seeking for return of the original certificates belonging to her daughter, Subanu Begam and for issuance of transfer certificates and also requesting the fifth and sixth respondents to permit the petitioner's daughter, Subanu Begam to write the 12th standard examination and pass final orders on merits and in accordance with law on or before 29.04.2022.

8. With the aforesaid directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(RTI)

// True Copy //

18/04/2022

Sub Assistant Registrar(CS)

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To

1. The Block Educational Officer,
DEO Office, Melur, Madurai District.
2. The Chief Educational Officer,
Chief Educational Office, Tallakulam, Madurai.
3. The Director of Metric School,
DPI Campus College Road, Chennai- 600 006.

+1 CC to M/s.SPL.GP. (SR-19175[F] dated 18/04/2022)

Order made in
W.P. (MD) No. 4811 of 2022
13.04.2022

SR(CO)

TR(18.04.2022) 3P 5C