



W.P(MD)No.10100 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.12.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.10100 of 2019

Thiru.R.V.Thevar Memorial Girls Higher Secondary School,
Cholapuram South – 625 139,
Virudhunagar District,
by its Secretary, V.Ramar.

... Petitioner

Vs.

1.The Director,
Directorate of Government Examinations,
Chennai – 600 006.

2.The Chief Educational Officer,
Virudhunagar.

3.The District Educational Officer,
Srivilliputhur.

... 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 to rectify the mistake in publishing list of schools made 100% pass in Plus Two Public Exams held in March 2019 in Virudhunagar District by including the petitioner's school namely Thiru.R.V.Thevar Memorial Girls Higher Secondary School, Cholapuram South -625 139, Virudhunagar District by considering the representation made by this school dated 20.04.2019.



W.P(MD)No.10100 of 2019

For Petitioner : Mr.K.K.Kannan

For Respondents : Mr.T.Amjadkhan,
Government Advocate.

ORDER

Heard the learned counsel on either side.

2.The writ petitioner is an aided Higher Secondary Private School. The grievance of the petitioner is that even though all the children who wrote 12th standard public examinations secured pass marks, the school was not included in the list school that had secured 100% results. Though the petitioner had applied to the authority calling upon them to include the petitioner school in the said list, it was not considered. That led to the filing of the present writ petition.

3.The respondents have filed counter affidavit and the learned Government Advocate took me through its contents. The learned Government Advocate would contend that two students namely Gohila and Muthulakshmi were compulsorily sent out by the petitioner school in the 11th standard. Relying on G.O.(Ms)No.100, Education Department, dated 22.05.2017, the



W.P(MD)No.10100 of 2019

learned Additional Government Pleader would contend that not only for 12th standard but for 11th standard also public examinations are held. Only if all the students who had joined in the 11th standard had passed 12th standard public examinations, then alone the school concerned will be included in the list of 100% result produced school. In this case, according to him, since Gohila and Muthulakshmi who had joined 11th standard were sent out by the school management, the respondents rightly did not include the petitioner school in the list of 100% result produced school.

4.After hearing the learned counsel on either side, I posed only one question to the learned Government Advocate. I wanted him to produce the said Government Order or Circular under which a school is declared as 100% result produced school. G.O.(Ms)No.100, 22.05.2017 does not deal with the said issue. My attention is not drawn to any other circular or instruction. Therefore, I have to proceed by applying commonsense. The fact remains that all the students who wrote 11th standard examination as well as 12th standard examination had passed. As per G.O.(Ms)No.100, dated 22.04.2017, even if a person has failed in 11th standard examination, he or she can still write supplementary examination and again take the same subjects as arrears while sitting for 12th standard public examination. Therefore, the only yardstick that



W.P(MD)No.10100 of 2019

has to be applied is whether all the students who sat for 12th standard examination had cleared the same. Admittedly, Kohila and Muthu Lakshmi did not write 12th standard public examination as students of the writ petitioner school.

5.In this view of the matter, the respondents have erred in not including the petitioner school in the 100% produced school. Therefore, the respondents are directed to issue corrigendum and include the petitioner school also in the list of school that had shown 100% result in March 2019. The writ petition is allowed. No costs.

15.12.2022

Index : Yes / No
Internet : Yes/ No
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To:-

- 1.The Director,
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Virudhunagar.
- 3.The District Educational Officer,
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W.P(MD)No.10100 of 2019



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W.P(MD)No.10100 of 2019

G.R.SWAMINATHAN, J.

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W.P(MD)No.10100 of 2019

15.12.2022