



W.P.No.17685 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.06.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.17685 of 2023

and

W.M.P.No.16779 of 2023

V.Gnanadeepa (Minor),
Represented by her father
I.Vedhakkan (Natural Guardian)

... Petitioner

Vs.

1. The Directorate of School Education,
DPI Complex,
College Road, Nungambakkam,
Chennai – 600 006.
2. The Chief Educational Officer,
Panagal Building,
1st Floor, Saidapet,
Chennai – 600 015.
(near Kalaighnar Pon Vila Valaivu)
3. The Tamil Nadu State Commission for Protection
of Child Rights,
183/1, EVR Periyar Salai,
Poonamalli High Road, Dassapuram,
Kilpauk, Chennai,
Tamil Nadu – 600 010.



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4. Infant Jesus Matriculation Higher Secondary School,
Manali New Town,
Chennai,
Tamil Nadu – 600 103.

5. Kaviraja

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the first respondent to re-evaluate the 10th Standard answer sheet (Exam Roll No.5862590) of the petitioner's daughter by considering the representation dated 27.05.2023.

For Petitioner	:	Mr.R.Prabhakaran
For Respondents	:	Mr.V.Manoharan Addl. Govt. Pleader for R1 to R3

O R D E R

This Writ Petition has been filed for a direction to the first respondent to re-evaluate the 10th Standard answer sheet (Exam Roll No.5862590) of the petitioner's daughter by considering the representation dated 27.05.2023, submitted by him.



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2. The case of the petitioner is that his daughter is a minor girl who was declared as fail in the Tamil subject in her 10th Standard Board Exam, with 21 marks out of 100. The result is attributed to the action of the fifth respondent, who sought revenge against the petitioner's daughter. The fifth respondent had a personal vengeance against his daughter because she rejected his marriage proposal. On the day of the Tamil Public Exam, the fifth respondent entered into the exam hall and manipulated the invigilator by falsely claiming to be the son of a Tamil Teacher. The fifth respondent snatched her answer sheet without following the roll number in order and he also struck off in the answer sheet and hence, the petitioner's daughter was not awarded with good marks in the Tamil subject. Therefore, the petitioner has filed the present Writ Petition with the aforesaid prayer.

3. Though very many grounds have been raised in the present Writ Petition, it would suffice, if this Court issues a direction to the respondents to consider the petitioner's representation dated 27.05.2023 and pass appropriate orders, within a time frame that may be fixed by this Court.



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4. Heard learned counsel appearing on either side and perused the materials placed before this Court.

5. Considering the facts and circumstances of the case, admittedly the petitioner's daughter failed in the Tamil subject in the 10th Standard Board Exam. Though there is no provision available for re-evaluation, the petitioner's daughter can very well appear for supplementary examinations and get a pass in the failed subject. The results of the 10th Standard Board Exam was declared on 19.05.2023. However, the petitioner has chosen to approach this Court after a lapse of time with the aforesaid prayer. The petitioner also was well aware that his daughter can participate in the supplementary examination. Without making any efforts to participate in the supplementary examination, the petitioner has approached this Court which is not entertainable. Hence, the prayer sought for in the Writ Petition cannot be granted.



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6. Accordingly, this Writ Petition is dismissed. However, liberty is granted to the petitioner's daughter to participate in the supplementary examination. No costs. Consequently, connected Miscellaneous Petition is closed.

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NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

vji



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