



W.P.(MD)Nos.3783 to 3789 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 10.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)Nos.3783 to 3789 of 2018

and

W.M.P.(MD)Nos.3921 to 3933 and 3938 of 2018

W.P.(MD)No.3783 of 2018

J.Hameed Asraf
Rep. by his Natural Guardian,
Jamal Nazar

... Petitioner

versus

1. The State of Tamilnadu,
Rep. by its Secretary,
School Department,
Secretariat,
St. George Fort,
Chennai.
2. The Director,
Public Examination Department,
School Education Director Complex,
College Road,
Chennai – 6.



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3. The Joint Director,
Public Examination Department,
School Education Director Complex,
College Road,
Chennai – 6.

4. The Regional Deputy Director,
Public Examination Department,
Madurai.

5. The Regional Deputy Director,
Public Examination Department,
Tirunelveli.

6. District Chief Educational Officer,
District Chief Education Office,
Virudhunagar.

7. District Educational Officer,
District Education Office,
Srivilliputtur.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Certiorarified Mandamus to call for the records in Notification dated 28.12.2017 (செய்திக்குறிப்பு) on the file of 2nd respondent and quash the same as illegal, void, unconstitutional and to direct the respondents to permit the petitioner to submit the application to write examination in the 10th standard Public Examination to be held on March/April, 2018 within the time frame by this Court.



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For Petitioner : Mr.S.Ramesh

For Respondents : Mr.G.V.Vairam Santhosh
Additional Government Pleader

COMMON ORDER

The petitioners are parents, whose wards have applied for 10th Standard examination as private students and have filed this batch of writ petitions as against the Notification dated 28.12.2017 issued by the second respondent that it was illegal, unconstitutional and for a consequential direction to permit their wards to submit their applications to write examination in the 10th Standard Public Examination to be held in the month of March-April 2018.

2. When these writ petitions are taken up for hearing, the learned counsel appearing for the petitioners seeks time to get instructions from the petitioners.



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3. The learned Additional Government Pleader appearing for the respondents, by referring to the prayer sought for in these writ petitions, submits that these writ petitions are filed challenging the Notification dated 28.12.2017, wherein, the 2nd respondent has invited applications from the candidates, who are intending to write 10th Standard Examination privately. In view of the lapse of time, the relief sought for in these writ petitions have become infructuous.

4. This Court perused the affidavit filed in support of these writ petitions.

5. The petitioners claim that their wards were intending to write 10th Standard public examinations for the year 2018. The Government, vide G.O.Ms.No.190, School Education Department dated 29.11.2011, has prescribed certain conditions for the candidates who are appearing as private students. As per the said G.O., the private students must have undergone practical training and for that, they shall apply to the



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concerned District Educational Officer, where the student resides and after receipt of the applications, the District Educational Officer shall fix a date for practical training on Saturday and on other holidays, for which, fee was also fixed. Further, the Government, vide G.O.No.144, School Education Department, dated 20.09.2011, insisted upon 80% of attendance in the practical training for a student.

6. The 7th respondent fixed the dates for practical classes on 06.01.2018, 13.01.2018, 20.01.2018, 27.01.2018 and 03.02.2018. In the meantime, the date was announced for 10th standard Board Examination by the Director of Government Examination for March/April 2018. On 02.01.2018, the respondents opened “Special Permission Scheme” to receive the application from the private students for 10th standard Government Examination and the same was closed on 04.01.2018. According to the petitioners, their wards have completed the practical training on 03.02.2018 with required attendance. However, the respondents vide a Notification dated



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04.02.2018 prescribed the last date for receiving the application from the students as 04.02.2018. Thereafter, the petitioners have made representations on 06.02.2018 to extend the time to receive the application to appear and write examination in the 10th Standard Government Examination which were scheduled to be conducted in the month of March/April 2018. However, their requests were rejected with a direction to them to file an application for the examination to be conducted in the month of September/October 2016.

7. The petitioners, with a grievance that if their wards are not permitted to write 10th standard Examinations in the month of March/April 2018, then, they may lose one year, have filed these writ petitions in the year 2018. For want of time, the writ petitions have not been taken up for hearing. Even according to the petitioners, the respondents have closed the cut off date for the examinations scheduled to be conducted in the month of March-April 2018 and directed them to appear for September/October 2018.



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WEB COPY 8. Considering the relief sought for in these writ petitions and the reasons stated therein, this Court is of the view that nothing survives for any adjudication in these writ petitions and accordingly, these writ petitions are closed. No costs. Consequently, connected miscellaneous petitions are closed.

10.11.2023

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

To

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B.PUGALENDHI, J.

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