



WEB COPY

WP No.3065 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04-04-2024

CORAM

THE HONOURABLE MR.JUSTICE S.M. SUBRAMANIAM

WP No.3065 of 2023

And

WMP No.3144 of 2023

S.Olirmathi, Minor

Represented by her mother D.Umarani,

No.2/176, Nadukadu,

Pannal and Post,

Vedaranyam Taluk,

Nagapattinam District.

..

Petitioner

-VS-

1.The Secretary to the Government,
School Education Department,
Fort St. George,
Secretariat,
Chennai-600 009.

2.The Commissioner of School Education,
College Road,
Nungambakkam,
Chennai-600 006.



3.The Director of School Examination,
College Road,
Nungambakkam,
Chennai-600 006.

4.The Member Secretary,
State Board of School Examination (SEC.),
College Road,
Nungambakkam,
Chennai-600 006.

.. Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records in relates to the impugned G.O., issued by the first respondent in G.O.Ms.No.1925 dated 30.08.1982 and the mark statement of the petitioner in social science subject in Roll No.1565926 and subsequent rejection order issued by the third respondent in Na.Ka.No.101814/B3/2022 dated 22.12.2022 and quash the same and consequently direct the third respondent and fourth respondent to award centum to the petitioner's daughter in the social science subject.

For Petitioner : Mr.V.Kasinatha Bharathi

For Respondents : Ms.P.Raja Rajeswari,
Government Advocate.



WEB COPY

WP No.3065 of 2



ORDER

The present writ petition has been instituted, challenging the Government Order in G.O.Ms.No.1925, Education, Science and Technical Department, dated 30.08.1982 and the consequential rejection order issued by the third respondent in proceedings dated 22.12.2022.

2. The petitioner is a minor student represented by her mother. The minor daughter of the petitioner appeared in the SSLC Public Examination in April 2022.

3. It is contended that the girl performed extremely well and the evaluation had not been done properly by the Examiners. The marks awarded to the petitioner, are incorrect and the marks are not awarded in respect of certain answers in the mark sheet. Many such allegations are raised by the petitioner.



4. In the present case, the writ petitioner submitted an application for revaluation of answer sheet. However, the Authorities have rejected on the ground that there is no scheme existed for revaluation of answer paper sheet, but the scheme provides only re-totalling of marks.

5. Mr.V.Kasinatha Bharathi, learned counsel for the petitioner, would submit that the present writ petition is filed, challenging the Government Order issued in the year 1982. Therefore, the petitioner is entitled for the relief. He has further drew the attention of this Court with reference to the answer sheet of the petitioner, so as to establish that evaluations were not made properly.

6. The learned Additional Government Pleader, appearing on behalf of the respondents, would oppose the petitioner by stating that re-totalling of mark alone was permissible till April 2022 and revaluation of answer sheet scheme was implemented from the year 2023. Therefore, the application submitted by the petitioner was rejected.



7. The scheme for re-totalling alone was in existence from the year 1982 till 2023. The petitioner has now filed the present writ petition challenging the Government Order of the year 1982. Since the policy decision of the year 1982 continues till 2023, this Court is not inclined to interfere with the policy decision.

8. As far as the revaluation of the answer sheet is concerned, the said scheme was not in existence. Therefore, this Court do not find any infirmity in respect of the order of rejection passed by the first respondent. This Court cannot undertake the process of revaluation of answer sheet of the petitioner.

9. That being so, this Court is not inclined to interfere with the decision of the Authorities rejecting the claim for revaluation of answer sheet, in the absence of any scheme prevailing during the relevant point of time.



10. With the above observations, the present writ petition stands dismissed. However, there shall be no order as to costs.

Consequently, the connected miscellaneous petition is also dismissed.

04-04-2024

Index : Yes/No
Internet: Yes/No
Speaking order/Non-Speaking order
Neutral Citation : Yes/No
Svn



To

1. The Secretary to the Government,
School Education Department,
Fort St. George,
Secretariat,
Chennai-600 009.
2. The Commissioner of School Education,
College Road,
Nungambakkam,
Chennai-600 006.
3. The Director of School Examination,
College Road,
Nungambakkam,
Chennai-600 006.
4. The Member Secretary,
State Board of School Examination (SEC.),
College Road,
Nungambakkam,
Chennai-600 006.



WEB COPY



WP No.3065 of 2

S.M.SUBRAMANIAM, J.

Svn

WP 3065 of 2023

04-04-2024