



W.P.No.8522 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.03.2025

CORAM

THE HON'BLE **Mrs.JUSTICE N.MALA**

W.P.No.8522 of 2025 and
W.M.P.Nos.9549 & 9550 of 2025

1.Vailankanni
Matriculation Higher Secondary School,
Rep By its Prinicpal S. Vivek,
No. 208 Jakapa Nagar, 2nd Cross, Jakapan Nagar,
Krishnagiri, Tamil Nadu.

2.Syed Mounam A

... Petitioners

Vs.

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

2.The Director of Matriculation Schools
College Road, D.P.I. Campus,
Nungambakkam, Chennai

3.The Director of Government Examinations,
College Road, D.P.I. Campus,
Nungambakkam, Chennai 600 006.

4.The District Educational Officer
(Private Schools),
Government Boys Higher Secondary School Campus,
Krishnagiri Town & Taluk & District



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5. The Chief Educational Officer,
Government Boys Higher Secondary School Campus,
Krishnagiri Town & Taluk & District ... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for records relating to the proceeding made in impugned order dated 06.02.2025 made in Na.Ka.No.508/A2/2024 on the file of the District Educational Officer, the 4th respondent herein and quash the same and to consequently direct the respondents to grant exemption from insisting for appearance in Tamil Language Exam under part-I for the ensuing 10th standard Public Exam during March-April 2025.

For Petitioners : Mr.A.V.Arun

For Respondents : Mr.P.S.Raman
Advocate General

Asst.by Mrs.Mythreyichandran
Special Government Pleader

and Ms.Akila Rajendran,
Government Advocate

ORDER

The writ petition is filed for a Writ of Certiorarified Mandamus to call for the records of the fourth respondent's order dated 06.02.2025 in Na.Ka.No.508/A2/2024, quash the same, and consequently direct the respondents to grant exemption from insisting for appearance in Tamil



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Language Exam under part-I for the ensuing 10th standard Public Exam in March-April 2025.

2. The petitioners' school is located on the border of Karnataka and Andhra Pradesh. The school provides education from pre-primary to the 12th standard. As the school is situated in a border region, most of the students have Kannada, Telugu, Hindi or other languages as their mother tongue. Due to this, many students struggle to pass the Tamil language examination. At the request of parents, the school offers Kannada, Telugu, and Hindi as the first-language options instead of Tamil.

3. The Government of Tamil Nadu enacted the Tamil Nadu Tamil Learning Act, 2006 (Act 13 of 2006), making Tamil a compulsory subject in schools within the State. Though the Act was passed in 2006, its enforcement was delayed until 2012. Because of the apathy of the respondents in properly implementing the Act, initially, both students and school management believed that they would not be compelled to take Tamil as a compulsory subject under the prevailing circumstances.



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4. The petitioner understanding that students would find it difficult to learn Tamil as a first language at an advanced stage of their schooling, allowed them to opt for their mother tongue as the first language. Accordingly, in November 2024, the school submitted an application to the respondent seeking exemption from the provisions of the Tamil Nadu Learning Act, 2006, for the 2nd petitioner, on the request of his parents. The school also sought permission for the student to write Part-1 of his language examination in his mother tongue-Hindi.

5. However, by the impugned order dated 06.02.2025, the 4th respondent rejected the 2nd petitioner's request for exemption, stating that the 2nd petitioner was ineligible as he had joined the school prior to the 9th and 10th standards. Aggrieved by the said decision, the petitioners filed the above writ petition for the aforesaid relief.

6. During the hearing, the learned counsel for the petitioners submitted that the school primarily caters to students residing in border areas of Karnataka and Andhra Pradesh and as a result, the students



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prefer to take their mother tongue as their language instead of Tamil.

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7. The learned counsel for the petitioners submitted that it would be extremely harsh on the 2nd petitioner to force him to take the Part-1 language examination in Tamil for the ensuing 10th standard board exams for the academic year 2024-25, as he is not adequately prepared for the same. He further submitted that in the interest of the student, the 4th respondent ought to reconsider granting exemptions to the 2nd petitioner for the ensuing 10th standard board examinations.

8. Though the learned Advocate General opposed the request, this Court is of the view that, in the interest of the student and considering that the 10th standard board examinations for the academic year 2024-25, are fast approaching, the petitioners' request merits consideration, albeit on submission of an undertaking by the 1st petitioner that no exemption will be sought for in future.



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9. The learned counsel for the petitioners sought time to get instructions from the petitioners on the filing of the undertaking affidavit. Today, when the matter is taken up, the learned counsel for the petitioners submitted the affidavit of undertaking. This Court has perused the undertaking affidavit.

In paragraph 4 of the affidavit, it is stated as follows:-

“4.I humbly submit that we are catering to the needs of students coming from the areas which is border to the States of Karnataka and Andhra Pradesh and the students who have chosen their mother tongue as their first language for studying. We undertake to impart Tamil as the 1st language to our students studying in our school and will not claim any such exemption for the academic year 2025-2026 and in future. The 2nd petitioners opted Hindi as his first language he may be permitted to write the 10th standard board examination in the academic year 2024-2025 and as stated above we will not claim any exemption for the next academic year.”



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10. The learned Advocate General, after referring to the affidavit, requested that the order in this writ petition should not be used as a precedent in future cases.

11. In light of the above undertaking given by the 1st petitioner, the 2nd petitioner is permitted to write the Part-1 language examination in Hindi for the ensuing 10th standard board examination for the academic year 2024-2025. It is clarified that this order is passed based on the peculiar facts of this case and the same shall not be cited as a precedent in future cases.

12. With the above observations, this Writ Petition is allowed. Consequently, the connected Miscellaneous Petitions are closed. There shall be no order as to costs.

19.03.2025

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Index : Yes/No
Speaking Order : Yes/No

Note: Issue Order Copy on 20.03.2025.



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