



IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 07.03.2025

CORAM :

THE HONOURABLE MRS. JUSTICE N. MALA

W.P.No.8318 of 2025

S.Arulmurugan (Minor)

Rep. by his Father and Next Friend S.Selvam

... Petitioner

Vs.

1.The State of Tamil Nadu

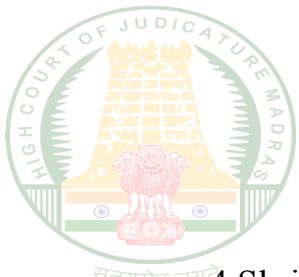
Rep. by its Principal Secretary to Government,
School Education Department,
Fort St. George, Chennai-600009.

2.Directorate of School Education,

Rep. by its Director,
No. 17, College Road,
Subba Rao Avenue, Nungambakkam,
Chennai – 600034.

3.The Chief Educational Officer,

School Education Department,
TNAP Government School Complex,
Vada Veethi, Subramaniam Kovil Street,
Tiruvannamalai – 606601.



4.Shri Bala Vidhya Mandir Matriculation
Higher Secondary School,
Rep by its Principal,
Vilai Village, Nesai Post,
Arni Taluk,
Tiruvannamalai District -632316

..Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 to 4 herein to register the petitioner's name, permit him to appear and write the X standard Public Examination scheduled to begin on 28.03.2025 as a private candidate by extending the date for submission of application and re-scheduling the practical examination and conduct the re-practical examination as any further date, in view of the petitioner's representation dated 01.03.2025.

For Petitioners : M/s.Karthikaa Ashok

For Respondents : Mr.L.S.M. Hasan Fazil, AGP

ORDER

This writ petition is filed for issuance of a writ of mandamus directing the respondents 1 to 4 herein to register the petitioner's name, permit him to appear and write the X standard Public Examination scheduled to begin on 28.03.2025, as a private candidate by extending the date for submission of



application and re-scheduling the practical examination and conduct the re-practical examination at any further date, in pursuance of the petitioner's representation dated 01.03.2025.

Brief facts of the case:

2. The petitioner is studying in the 10th standard in the 4th respondent school. The 4th respondent school informed the petitioner that he would not be permitted to appear for the forthcoming 10th standard public examinations on the ground that the petitioner did not have a good academic record, and if he was allowed to appear, the 4th respondent school would lose its reputation due to a low pass percentage. Under these circumstances, the petitioner attempted to apply as a private candidate but was unable to process his application. The petitioner submitted a representation on 01.03.2025 to the respondents, and since no action was taken by the respondents, and as the examinations were scheduled to commence on 28.03.2025, the petitioner filed this writ petition for the aforesaid relief.



WEB COPY 3. Learned counsel for the petitioner submitted that though the petitioner wanted to appear in the Board examinations through the school, due to the objections raised by the school regarding his preparedness to appear in the public examination, the petitioner attempted to apply for the Board examination as a private candidate. However, his application was not processed as the last date for submission of application was over. Learned counsel for the petitioner further submitted that the student should be given an opportunity to appear atleast for the supplementary Board exams to be conducted in June 2025 - July 2025, so that he does not lose an academic year.

4. Learned Additional Government Pleader for the respondent, on instructions, submitted that the petitioner could apply for the supplementary Board exams to be conducted in June 2025 or July 2025 and appear for the examination as a private candidate.



WEB COPY 5. Heard the learned counsel for the petitioner and the learned Government Pleader appearing for the respondent, and perused the materials available on record. By consent of both learned counsels, this writ petition is taken up for final disposal.

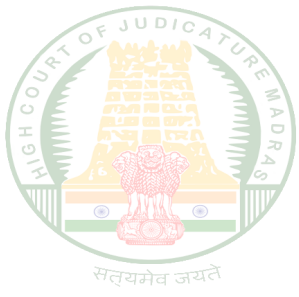
6. Admittedly, the 4th respondent school refused to permit the petitioner to appear for the Board exams on the grounds of his poor academic performance. When the petitioner attempted to appear for the examination as a private candidate, his application could not be processed by the authorities as the last date for submitting the online applications lapsed. Therefore, the respondent-authorities cannot be faulted for not entertaining the petitioner's request to appear for the examinations scheduled to be conducted on 28.03.2025 as a private candidate. However, the learned counsel for the petitioner submitted that the petitioner ought to be given an opportunity to appear for the supplementary Board examinations, which are scheduled to be conducted in June 2025 and July 2025.



WEB COPY 7. Learned Government Pleader, following the directions of this Court, obtained instructions from the respondent department and reported that the petitioner could be permitted to appear for the supplementary examinations scheduled to be conducted in June 2025 and July 2025, as a private candidate.

8. In view of the submissions made by the learned Additional Government Pleader and in the interest of the student, the following directions are issued:

1. The 3rd respondent is directed to open the online portal to enable the petitioner to submit his application to appear for the 10th standard Supplementary Board Exams as a private candidate.
2. The petitioner is directed to apply online for the supplementary Board examination for the 10th standard as a private candidate, along with the requisite documents, for the examinations to be conducted in June 2025 and July 2025.



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3. Upon receipt of the petitioner's application, the 3rd respondent is directed to scrutinize the same and issue hall ticket, after assigning a registration number to the petitioner and permit the petitioner to appear for the supplementary Board examination as private candidate.

9. With these directions, the writ petition is disposed of. No costs.

Consequently, the connected Miscellaneous Petition is closed.

07.03.2025

Internet : Yes

Index : Yes / No

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To

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N. MALA, J.

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3.The Chief Educational Officer,
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