



WEB COPY



W.P.No.29172 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2025

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.29172 of 2023

S.Selvakumar

... Petitioner

Vs.

1.The Government of Tamil Nadu
represented by its Principal Secretary,
Department of School Education,
Fort St.George,
Chennai – 600 009.

2.The Director of School Education,
DPI Compound,
College Road, Nungambakkam,
Chennai – 600 006.

3.The Director of Government Examination,
DPI Compound,
College Road, Nungambakkam,
Chennai – 600 006.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to revalue the answer sheets of Social Science paper of S.Usha Reg.No.5357048, 10th Standard (SSLC) April 2023 and consequently direct the respondents to issue fresh mark sheet to the petitioner's daughter.



W.P.No.29172 of 2023

WEB COPY

For Petitioner : Ms.D.Jeevitha
For Respondents : Mr.K.Tippu Sultan
Government Advocate

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents to revalue the answer sheets of Social Science paper of S.Usha Reg.No.5357048, 10th Standard (SSLC) April 2023 and consequently direct the respondents to issue fresh mark sheet to the petitioner's daughter.

2.The learned counsel appearing for the petitioner would submit that the petitioner's daughter scored more than 97% in all other subjects except Social Science. It is the submission of the learned counsel that while valuing the Social Science answer sheet, they have not considered the depth of the petitioner's daughter's answers and have given very less marks. It is the further submission that the marks assigned by the respondents are arbitrary without taking into consideration the proper answer given by her.

3.This contention was totally objected by the learned Government Advocate and he would contend that as per



W.P.No.29172 of 2023

G.O.Ms.No.1925, Education, Science & Technology (v1) Department, dated 30.08.1982, the Government has taken policy decision not to revalue the answer scripts and the candidates are eligible only to have re-totalling the answer scripts. It is his further submission that the said Government Order was vindicated by this Court in W.P.No.17685 of 2023 and by way of order of Hon'ble Supreme Court in Civil Appeal No.8037 of 2022.

4.I have given my anxious consideration to either side submissions.

5.The main contention put forth by the learned Government Advocate is that there is Government Order not to revalue 10th answer sheet as per G.O.Ms.No.1925, dated 30.08.1982. Therefore, the learned Government Advocate would submit that unless this Government Order is challenged, the petitioner cannot seek Mandamus for revaluation. It is also pertinent to note here that this Court vide order dated 15.06.2023 in W.P.No.17685 of 2023, has held that there is no provision to revalue SSLC answer sheet.



W.P.No.29172 of 2023

WEB COPY

6.It is also pertinent to refer the judgment of the Hon'ble Supreme Court in **Civil Appeal No.8037 of 2022 [Dr.NTR University of Health Sciences Vs. Dr.Yerra Trinadh and others]** dated 04.11.2022, wherein, the Hon'ble Supreme Court after referring to various judgments has ultimately held in paragraph 9 as follows:

"9. Applying the law *laid down by this Court in the aforesaid decisions to the facts and circumstances of the case on hand, we are of the opinion that the High Court was not at all justified in calling the record of the answer scripts and then to satisfy whether there was a need for re- evaluation or not. As reported, the High Courts are calling for the answer scripts/sheets for satisfying whether there is a need for re-evaluation or not and thereafter orders/directs re-evaluation, which is wholly impermissible. Such a practice of calling for answer scripts/answer sheets and thereafter to order re-evaluation and that too in absence of any specific provision in the relevant rules for re-evaluation and that too while exercising powers under [Article 226](#) of the Constitution of India is disapproved.*"



W.P.No.29172 of 2023

WEB COPY

7. According to the above ratio, even if the High Court arrives at a conclusion that there is some deviation in awarding of marks directing revaluation by a third party assessor so as to satisfy itself, ordering for revaluation is impermissible. Therefore, this Court is of the firm view that the submissions of the learned counsel appearing for the petitioner that except in Social Science, the petitioner's daughter scored high marks in all other subjects, will in no way make her case to order for revaluation, as the Government has already taken policy decision vide G.O.Ms.No.1925, dated 30.08.1982.

8. In view of the above position, unless the petitioner challenges the above Government Order, the question of ordering revaluation does not arise. The writ petition is dismissed. Liberty is given to the petitioner to challenge G.O.Ms.No.1925, dated 30.08.1982, if he is otherwise advised. No costs.

12.08.2025

pri

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



WEB COPY



W.P.No.29172 of 2023

C.KUMARAPPAN,J.
pri

To

- 1.The Government of Tamil Nadu
represented by its Principal Secretary,
Department of School Education,
Fort St.George,
Chennai – 600 009.
- 2.The Director of School Education,
DPI Compound,
College Road, Nungambakkam,
Chennai – 600 006.
- 3.The Director of Government Examination,
DPI Compound,
College Road, Nungambakkam,
Chennai – 600 006.

W.P.No.29172 of 2023

12.08.2025