
(2021) 07 KAR CK 0022

In the Karnataka High Court

Case No : Writ Petition No. 12815 Of 2021 (EDN-RES)

Gmm High School & Others

APPELLANT

Vs

State Of Karnataka & Others

RESPONDENT

Date of Decision : 16-07-2021

Acts Referred:

Constitution Of India, 1950 — Article 226, 227

Citation : (2021) 07 KAR CK 0022

Hon'ble Judges : Sachin Shankar Magadam, J

Bench : Single Bench

Advocate : R P Somashekharaiyah, Pramodhini Kishan

Final Decision : Partly Allowed

Judgement

Sachin Shankar Magadam, J

1. The captioned writ petition is filed seeking writ of mandamus to direct respondent No.1 to dispose of the appeal pending in Appeal No.49/2018 and

also issue a direction to respondent No.5 to enable to the students studying in the petitioner-Institutions to take up their S.S.L.C. examination for the

academic year 2020- 2021 by considering the representation dated 20.02.2020 as per Annexure 'Y'.

2. Heard learned Counsel for the petitioners and learned Additional Government Advocate.

3. The prayer at (I) cannot be considered at this juncture. However, learned Additional Government Advocate would submit to this Court that in

identical cases where the educational institution had no permission and recognition, this Court had directed the authorities to tag all the students in the nearby Government School which has recognition and permission.

4. Since the ensuing S.S.L.C. examination is scheduled from 19.07.2021, this Court exercising inherent jurisdiction under Articles 226 and 227 of the

Constitution of India directs respondent Nos.2 to 5 to tag the students studying in the petitioner-Institutions to nearest Government School which has

permission and licence and consequently, permit the students to take up the S.S.L.C. examination which is scheduled to commence from 19.07.2021.

5. It is stated at the Bar that the students are ready to deposit the prescribed examination fee today itself.

6. The students studying in the petitioner- Institutions are permitted to take up the examination subject to payment of examination fee.

7. For the reasons stated supra, I pass the following:

ORDER

i) Writ petition is allowed in part.

ii) Respondent Nos.2 to 5 are directed to permit the students studying in the petitioner- Institutions to appear for S.S.L.C. examination which is

scheduled to commence from 19th July 2021.

iii) The students shall deposit the prescribed examination fee with the fifth respondent and the fifth respondent shall accept the examination fee.

A copy of this order to be furnished to learned Additional Government Advocate forthwith to enable the learned AGA to communicate the said order

to the respective authorities.