ITEM NO.17 Court 3 (Video Conferencing) SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition (Civil) No.1101/2020

EKTHA TRUST Petitioner(s)

VERSUS

UNION OF INDIA & ORS. Respondent(s)

(With appln.(s) for stay and exemption from filing affidavit)

Date : 29-09-2020 This petition was called on for hearing today.

CORAM :
HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MS. JUSTICE INDIRA BANERJEE

For Petitioner(s)
Ms. Sanchita Ain, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

1 Since the grievance of the petitioner arises from a Notification dated 19 August 2020 issued by the respondent, the Director in the Directorate of Examinations in the State of Tamil Nadu, we are of the view that the petitioners would appropriately have to take recourse to the remedy of filing a petition under Article 226 of the Constitution.

2 Though the Class X examinations have already been held from 21 September to 26 September 2020, Ms Sanchita Ain, learned counsel for the petitioner submits that the Notification discriminates against private candidates, including those with disabilities, whereas other candidates have been exempted from appearing for the examination due to the outbreak of COVID -19.

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Digitally signed by ARJUN BISHT
Date: 2020.10.01 18:48:42 IST
Reason:

3 Since we are of the view that the petitioner should take recourse to the remedy under Article 226 of the Constitution, we leave all the rights and contentions open in that regard.

4 The Writ Petition is accordingly disposed of.

5 Pending applications, if any, stand disposed of.

(CHETAN KUMAR)
AR-cum-PS

(SAROJ KUMARI GAUR)
BRANCH OFFICER