



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2015

CORAM

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI
AND
THE HON'BLE MR.JUSTICE M.VENUGOPAL

W.A.Nos.89 to 94 of 2015

W.A.No.89 of 2015 :

R.Sathya Priya

... Appellant
(Petitioner)

Vs.

1. The Government of Tamil Nadu,
represented by its Secretary,
Education Department,
Fort St. George,
Chennai-600 039.

2. The Chairman,
Teachers Recruitment Board,
E.V.K.S. Sampath Maligai,
College Road,
Chennai-600 006.

3. The Director of School Education,
DPI Compound, College Road,
Chennai-600 006.

... Respondents
(Respondents)

W.A.Nos.90 to 94 of 2015 :

K.Sivasathya

... Appellant/Petitioner in
W.A.No.90 of 2015

N.Balu

... Appellant/Petitioner in
W.A.No.91 of 2015

P.Arikumar

... Appellant/Petitioner in
W.A.No.92 of 2015



M.Freeda Jayandhi Rani

J.Vimala

WEB COPY

... Appellant/Petitioner in
W.A.No.93 of 2015

... Appellant in
W.A.No.94 of 2015

Vs.

The Chairman,
Teachers Recruitment Board,
E.V.K.S. Sampath Maligai,
College Road,
Chennai-600 006.

... Respondent in
all writ appeals.

These writ appeals are preferred under Clause 15 of the Letters Patent against the order of this court dated 04.02.2014 made in W.P.Nos.32726, 32787, 32788, 32789, 33173 and 33888 of 2013.

These writ Petitions are filed under section 226 of the constitution of India, praying for the issuance of writ of mandamus, directing the 2nd Respondent herein to award marks for question NOs.19 66 117 120 140 by revaluating my answer sheet (Roll No. 13TE54204304) for the test held on 18.08.2013 so as to issue Teacher Eligibility Test Certificate to the petitioner and consequently direct all the respondents herein to forthwith appoint the petitioner as B.T.Assistant Teacher (Maths) in Villupuram District or in any other place. (W.P.No. 32726/13)

Directing the respondent to consider the representation of the petitioner dated 13.11.2013, 14.11.2013, 11.11.2013, 21.11.2013 and 9.12.2013 respectively and declare the answers in respect of Question Nos.20, 29, 35, 45, 61, 63, 84 and 95 in 'A' Series, Question Nos.18, 22, 25, 29, 61, 63, 64 and 122 in 'A' Series, Question Nos.8, 13, 18, 76, 79, 89 and 107 in 'A' Series, Question Nos.6, 23, 29, 66, ,68 and 69 in 'C' Series, Question Nos.10, 23, 66, 69, 74 and 120 in 'C' Series respectively in the Teachers Eligiility Test conducted on 18.8.2013 and award eight marks, eight marks, seven marks, six marks, three marks respectively to the petitioners in respect of said questions and appoint the petitioner as B.T.Assistant pursuant to the said examination.

For Appellants : Mr.S.Vinod Sathya Lazar
For Respondents : Mr.D.Krishnakumar, Spl.G.P.



COMMON JUDGMENT

(Judgment of the Court was made by SATISH K. AGNIHOTRI, J.)

WEB COPY

These appeals arise from the common order dated 04.02.2014 passed in W.P.Nos.32726, 32787, 32788, 32789, 33173 and 33888 of 2013 along with several other writ petitions.

2. The writ petitioners in the aforesaid writ petitions, who are candidates in the Tamil Nadu Teachers Eligibility Test (TNTET 2013), being unsuccessful, came up with the writ petitions, seeking revaluation of marks for question numbers stated in their respective writ petitions, in the eligibility test conducted on 18.8.2013, on the basis of their representations made to the authorities and consequently, to award appropriate marks and thereafter, declare the results of the test accordingly.

3. The respondent Board published the tentative key answers in their website, granting time to candidates to raise objections to various disputed questions. Thereafter, the final list was published on 5.11.2013. The petitioners, after having failed to avail the opportunity, filed the instant writ petitions in January, 2014. The learned Judge, having considered all aspects of the matter and also the decisions passed earlier, came to the conclusion that at this stage, no direction can be issued to reevaluate the answer sheets after re-examining the key answers.

4. It is well settled proposition of law that unsuccessful candidates cannot question the process of selection / examination after final result has been published and also after having participated in the process. In the case on hand, the petitioners being candidates were given opportunity to raise their objections and thereafter on evaluation by experts, answer sheets were examined and the final result was published on 5.11.2013. At this stage, the candidates are not entitled to further opportunity to reopen the entire examination process which has attained finality.

5. In view of the foregoings, all the writ appeals are dismissed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar



WEB COPY

1. The Secretary,
The Government of Tamil Nadu,
Education Department,
Fort St. George,
Chennai-600 039.
2. The Chairman,
Teachers Recruitment Board,
E.V.K.S. Sampath Maligai,
College Road,
Chennai-600 006.
3. The Director of School Education,
DPI Compound, College Road,
Chennai-600 006.

+1cc to Mrs.A.L.Ganthimathi, Advocate, S.R.No.14460
+1cc to the Government Pleader, S.R.No.14504

W.A.Nos.89 to 94 of 2015

PVR(CO)
CA(24/03/2015)