



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 06.01.2015
CORAM:

THE HONOURABLE MR. JUSTICE S. TAMILVANAN
and
THE HONOURABLE MR. JUSTICE V. S. RAVI

W.P. (MD) No. 32 of 2015
and
M.P. (MD) No. 1 of 2015

D. Ramasamy

... Petitioner

Vs.

1. The Secretary,
Department of School Education,
Fort St. George,
Chennai.

2. The Chairman,
Teachers' Recruitment Board,
Chennai.

3. The District Collector,
Chennai.

4. The Publishers,
T.R.B. (English PG),
Sura College of Competition,
1620, J. Block, Anna Nagar,
Chennai 600 040.

5. G. Sharmila Banu

... Respondents

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to forbear the respondents 4 and 5 from publishing, circulating and selling the impugned "Sura Success Guide for TRB PG English" to be used by the candidates who appear for Teachers Recruitment Board Examination and to take appropriate action against the respondents 4 and 5 for having committed serious and patent mistakes in publishing the guide for above mentioned examination.

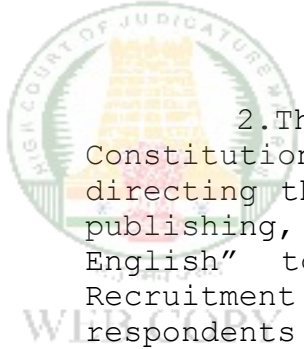
For Petitioner : Mr. M. Michael Bharathi

For Respondents : Mr. V. R. Shanmuganathan, Spl. G. P. for R1 to R3

ORDER

(Order of this Court was made by **S. TAMILVANAN, J.**)

Heard the learned counsel appearing for the petitioner as well as the learned Special Government Pleader appearing for the respondents 1 to 3.



2.The Writ petition has been filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus or any other Writ, directing the respondents 1 to 3 to forbear the respondents 4 and 5 from publishing, circulating and selling "Sura Success Guide for TRB PG English" to be used by the candidates, who appear for Teachers Recruitment Board Examination and to take appropriate action against the respondents 4 and 5 for having committed serious and patent mistakes in the said Guide.

3.Learned counsel appearing for the petitioner submitted that the petitioner is working as B.T. Assistant (English) at Panchayat Union Middle School, Palaiyur, Peraiyur Taluk, Madurai District, the fifth respondent M/s.G.Sharmila Banu, author of the book Sura Success Guide for TRB PG English is also a Teacher and the fourth respondent is the publisher of the said book. Learned counsel for the petitioner further submitted that the said book contains various errors and also drew the attention of this Court to the typed set of papers wherein, certain pages of the said book and the answer key given for the same are available. It is also submitted that the Writ petition is filed as a public interest litigation.

4.However, the learned counsel appearing for the petitioner could not explain as to what are the correct answers and in which way the answers given in the book are wrong. Even if it is shown, the respondents 1 to 3 are no way responsible and the said book was not recognized by the respondents 1 to 3 or any other authority.

5.Having gone through the accompanying affidavit filed in support of the Writ petition, we are of the considered view that there is no public interest involved in this Writ petition. The petitioner is working as a B.T Assistant Teacher and the fifth respondent, author of the book, is also a Teacher and the book stated in the Writ petition is for the candidates who appear for Teachers' Recruitment Board examination. If there is any legal grievance, they can seek appropriate remedy as per the procedure known to law against the author of the book or publisher. Hence, we are of the considered view that the respondents 1 to 3 are nothing to do with the publication of the said book, especially the Chairman, Teachers' Recruitment Board, Chennai and so far as the relief sought for in the Writ petition is not supported by the averments made in the accompanying affidavit. It is also seen that the description of the first respondent has been stated as Secretary, Department School Education, Chennai, though it could have been properly stated as the Secretary to Government, Department School Education, Chennai-9.

6.A perusal of the averments of the Writ petition and the material papers show that there is no legal grievance raised by the petitioner herein and the alleged grievance of the petitioner is also not public interest, hence, the Writ petition is liable to be dismissed. Accordingly, the Writ petition is dismissed. However, it is open to the petitioner to approach the appropriate authorities for seeking redressal, if need be.



7. In the result, the Writ petition is dismissed. No costs.
Consequently, connected M.P. is closed.

Sd/-

Assistant Registrar (Crl. side)

\\True copy\\

Sub Assistant Registrar

To

1. The Secretary,
Department of School Education,
Fort St. George,
Chennai.

2. The Chairman,
Teachers' Recruitment Board,
Chennai.

3. The District Collector,
Chennai.

+1cc to MR. V. SASIKUMAR, ADVOCATE SR. NO. 258

+1CC TO THE SPL. GOVT. PLEADER SR. NO. 481

W.P. (MD) No. 32 of 2015
06.01.2015

NBJ

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