

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :30.08.2017

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.23341 of 2017 and  
WMP.Nos.24436 to 24438 of 2017

B.Moorthi

.. Petitioner

vs

The Member Secretary,  
Teachers Recruitment Board,  
College Road,  
Chennai-600 006.

.. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records connected with the Provisional List of Candidates called for the Certificate Verification for the Direct Recruitment of Post Graduate Assistants 2015-16 and 2016-17 and quash the same and consequently direct the respondent to issue fresh provisional list of candidates after awarding one mark for Question No.109.

For Petitioner : Mr.Mr.Kalaimani,  
Senior Counsel for Mr.R.Prasadh.

For Respondent : Mr.K.Venkataramani,  
Additional Advocate General-VII  
Assisted by Mr.K.Dhananjayan,  
Special Government Pleader.

O R D E R

The relief sought for in this writ petition is calling for the records connected with the Provisional List of candidates called for the Certificate Verification for direct recruitment to the post of Graduate Assistants 2015-2016 and 2016-2017 and quash the same.

2. The writ petitioner is an unsuccessful candidate in the process of selection and filed this writ petition even without impleading the selected candidates and challenged the Provisional List of candidates. The list of candidates published, though enclosed in the typed set of papers, those candidates were not impleaded as respondents in this writ petition. Thus, the prayer, as such, sought for to quash the list of candidates included in the Provisional List of Selection, cannot be considered.

3. This apart, mere non-selection in the absence of establishing a legal right, cannot be considered in this writ petition. Except some bald allegations, there is no substantial point available in the affidavit filed in support of the writ petition. The petitioner has stated that Question No.109 was found to be wrong and stated that he was unable to obtain the correct answer which should be in the printed form and the same was not available. Except these kind of vague allegations, there are no substantial materials on record to interfere with the Provisional Selection List in this writ petition.

4. At this juncture, the learned counsel appearing for the writ petitioner made a submission that though the prayer in this writ petition is large in nature, it is suffice, if a direction is issued to the respondent to consider the representation submitted by the writ petitioner in this regard on 23.08.2017 and pass orders.

5. In this view of the matter, the respondent is directed to consider the representation submitted by the writ petitioner on 23.8.2017 and pass orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose a copy of the representation along with the order passed in this writ petition.

6. Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently connected miscellaneous petitions are closed.

Sd/-  
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

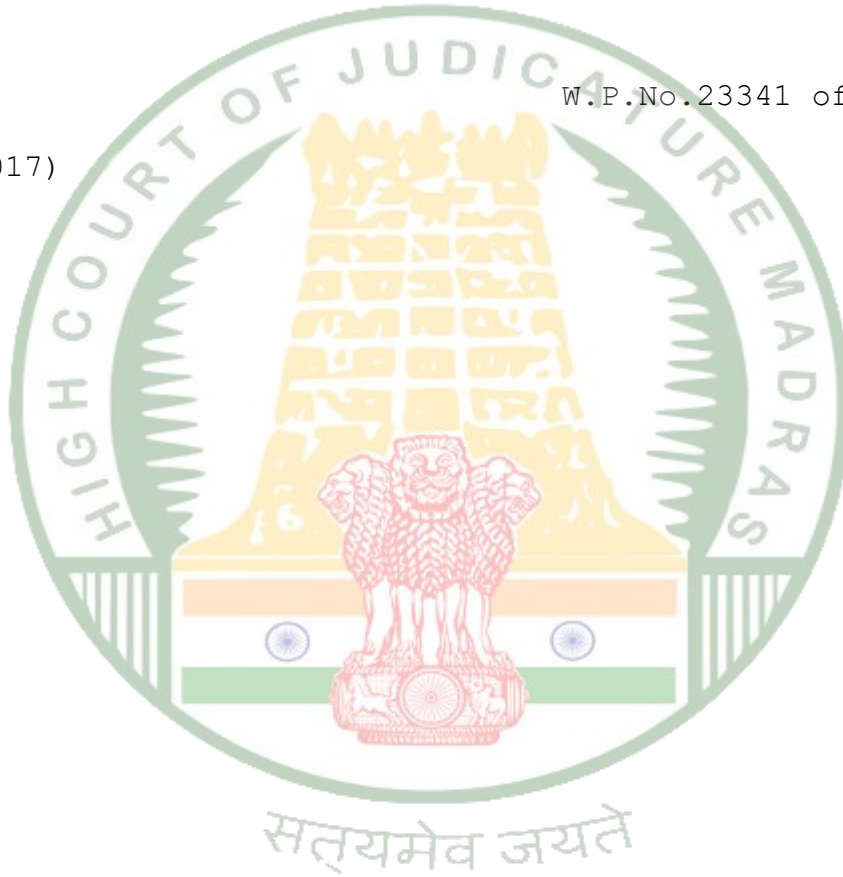
The Member Secretary,  
Teachers Recruitment Board,  
College Road,  
Chennai-600 006.

+1cc to R.Prasadh, Advocate sr.62621

+1cc to Government Pleader sr.64086

W.P.No.23341 of 2017

ss(19/9/2017)



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