



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.06.2017

CORAM:

THE HONOURABLE **MR. JUSTICE T.S.SIVAGNANAM**

AND

THE HONOURABLE **MR. JUSTICE P.VELMURUGAN**

W.A. (MD) No.403 of 2014

and

M.P. (MD) .No.1 of 2014

G.Muthu

... Petitioner

vs.

The Member -Secretary,
Teachers Recruitment Board,
4th Floor, EVK Sampath Maaligai,
DPI Compound, College Road,
Chennai - 600 006.

...Respondent/Respondent

PRAYER: Writ Appeal is filed under Clause 15 of Letters Patent Act against the order, dated 08.11.2013, made in W.P.(MD).No.17234 of 2013.

Prayer in WP(MD) . 17234/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, to call for the records of the Final Key Answers ("D" Series) published by the respondent dated 07.10.2013 in respect of Commerce subject and the impugned notification of the respondent dated 09/05/2013 and consequently the Provisional List for Certificate Verification published by respondent with respect to Commerce Subject dated 11/10/2013 and to quash the same as illegal and unconstitutional and further to revalue the answer papers of Commerce Subject ("D" Series) as per the Correct Answers declared by this Honourable Court and to publish a fresh Provisional List for Certificate Verification and direct the respondent to call the petitioner for certificate Verification for the TRB Test held on 21/7/2013.(Prayer amended vide court order dt 08/11/2013 in MP(MD) 4/2013)

For Appellant : M/s.A.Rajini

For Respondent : Mr. V.R.Shanmuganathan
Special Government Pleader

JUDGMENT

[Judgment of the Court was delivered by **T.S.SIVAGNANAM, J**]

Heard Mr.A.Rajini, learned counsel for the appellant,
<https://hcservices.ecourts.gov.in/hcservices/>
Mr.V.R.Shanmuganathan, Special Government Pleader appearing for the
respondent.



2. This appeal, by the writ petitioner, is directed against the order passed in W.P(MD)No.17234 of 2013, dated 08.11.2013. The writ petition was filed by the appellant to issue a writ of certiorari to call for the final Key Answers published by the respondent/Teachers Recruitment Board, dated 07.10.2013 in respect of Commerce subject and the notification, dated 09.05.2013 and for consequential reliefs.

3. The Writ Court elaborately considered the matter took note of the order in W.P.No.17155 of 2013 etc., batch, dated 06.11.2013 and following the same disposed of the matter. In the said order, the court elaborately considered the matter, considered the expertise of the person, who headed the Board etc., and came to the conclusion that there is no reason to reject the opinion of the expert. We are of the considered view that, the Court lacks expertise to sit in the judgment over the opinion of experts, especially in matters concerning education and evaluation of answer scripts. It is a settled legal position that these matters are best left to educationists and not to meddle with the same under the garb of exercising power under Article 226 of the Constitution of India. The appellants' case is not that any illegality has been committed nor there is any palpable error, therefore, the question of sitting on judgment over the decision of the academic expertise does not arise. Thus, we find no reason to entertain this appeal. Hence, the writ appeal is dismissed. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar(AD-II)

/True Copy/

Sub Assistant Registrar

To

The Member -Secretary,
Teachers Recruitment Board,
4th Floor, EVK Sampath Maaligai,
DPI Compound, College Road,
Chennai - 600 006.

+1cc to Mr.SPECIAL GOVERNMENT PLEADER in SR. No.59879

AM/VAS

JS/KP/SAR.1/22.06.2017/2P-3C

W.A. (MD) No.403 of 2014
12.06.2017