



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 19.03.2018

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MRS.JUSTICE R.THARANI

W.A. (MD)No.380 of 2018

and

C.M.P. (MD)No.2346 and 2347 of 2018

M.Ramalingam

..3rd Party Appellant

Vs.

1.A.Ramachandran

..Writ Petitioner / Respondent

2.The Secretary to Government,
Education Department,
Government of Tamil Nadu,
Fort St. George, Chennai.

3.The Teachers Recruitment Board,
Rep. by the Member Secretary,
4th Floor, EVK SampathMalligai,
DPI Compound, College Road,
Chennai-600 006.

..Respondents/Respondents.

PRAYER: Writ Appeal is filed under Clause 15 of the Letters Patent against the order dated 06.11.2013, in W.P.(MD).No.17155 of 2013, on the file of this Court.

Prayer in WP(MD). 17155/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certioraraified Mandamus, to call for the records of the Final Key Answers published by the 2nd respondent dated 07/10/2013 in respect of Commerce Subject and the consequential Provisional List for Certificate Verification published by the 2nd respondent in respect of Commerce Subject dated 11/10/2013 and to quash the same as illegal and further to direct the 2nd respondent to revalue the answer papers of Commerce Subject as per the Correact Answers declared by this Honourable Court and to publish Provisional List for Certification Verification afresh.

For Petitioner : Mr.V.Panneerselvam

For R1 : Mr.C.Arul Vadivel Sekar

For R2 and R3 : Mr.V.R.Shanmuganathan
Special Government Pleader

JUDGMENT



Heard Mr.Mr.V.Panneerselvam, learned counsel, appearing for the petitioner, Mr.C.Arul Vadivel Sekar, learned counsel, appearing for the first respondent and Mr.V.R.Shanmuganathan, learned Special Government Pleader, appearing for the respondents 2 and 3.

2.This appeal is directed by the third party against the common order dated 16.11.2013 in W.P.(MD)Nos.17155, 17156, 17191, 17236, 17424 and 17971 of 2013. Those writ petitions were filed by the first respondent and five others, challenging the key answers for certain questions in respect of the examination conducted by the Teacher Recruitment Board for selection to the post of P.G.Assistant.

3.The appellant was not a party to the writ petitions. In the Writ Petitions, this Court have cancelled certain questions and awarded marks for certain questions, for which, the key answer was wrong. The order passed in the writ petitions has been implemented by the Teachers Recruitment Board. As a result of the order passed in the Writ Petitions, the appellant, who had secured higher marks, on account of the cancellation of the question / questions, his marks got reduced, consequentially had not selected.

4.We have adopted the correctness of the submission of the appellant in this Appeal and the appellant has approached this Court earlier, as the selection to the post of P.G.Assistant was for the year 2012-2013. Though it appears that leave to writ appeal was granted in the year 2014, the appellant is before this Court only now i.e., 2018 and subsequently, two selections have been conducted for the same post by the Teacher Recruitment Board and therefore, we find that there are no ground made by the appellant to adjudicate the correctness of the order passed in the writ Petitions, which has been implemented by the respondent. Accordingly, this Writ Appeal stands dismissed. No costs. Consequently, C.M.P.(MD)No.2346 and 2347 of 2018 are closed.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

- 1.The Secretary to Government, Education Department,
Government of Tamil Nadu, Fort St. George, Chennai.
 - 2.The Member Secretary, Teachers Recruitment Board,
4th Floor,EVK SampathMalligai, DPI Compound, College Road,
Chennai-600 006.
- +1CC to Mr.C.Arul Vadivel @ Sekar, Advocate, SR.No. 56204
+1CC to the Special Government Pleader SR.No.56466

ORDER MADE IN WA(MD)No.380 of 2018

19.03.2018