



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 29.11.2018

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P. (MD) .No.17838 of 2018

R.Muthuraj

... Petitioner

-vs-

1. The Chairman,
Teacher's Recruitment Board,
4th Floor, E.V.K.Sampath Maligai,
College Road, Chennai-6.

2. The Member Secretary,
Teacher's Recruitment Board,
4th Floor, E.V.K.Sampath Maligai,
College Road, Chennai-6.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the respondents to publish the result of the written examination OMR sheets of all the candidates pursuant to the Notification No.05/2017 dated 26.07.2017 in their official website within the time stipulated by this Court.

For Petitioner : Mr.D.Selvanayagam

For Respondents : Mr.VR.Shanmuganathan
Special Government Pleader

ORDER

Heard Mr.D.Selvanayagam, learned counsel appearing for the petitioner and Mr.VR.Shanmuganathan, learned Special Government Pleader appearing for the respondents.

2.The case of the petitioner is that he has acquired B.A (History) and completed M.P.Ed., in the year 2013. In response to the first respondent notification dated 26.07.2017, inviting application for filling up the post of Special Teachers (Physical Education Teachers, Music Teachers, Drawing, Sewing) in the Tamil Nadu Government Schools and he applied through online mode on 18.08.2017. He wrote the examination held on 13.08.2018. The results were published in the internet on 14.06.2018 and the candidates, who passed the written examination were called for certificate verification. The petitioner herein contends that in the website he has not able to see OMR sheet of the candidate and the mark statements. Therefore, as in the case of recruitment of lecturer in the Government Polytechnic College, the Court directed



to upload the OMR sheet in the website. In this recruitment also OMR sheet should be upload. In support of his contention, the petitioner has referred the order passed by this Court in W.P.(MD).No.2942 of 2018 dated 22.02.2018.

3.The learned counsel appearing for the respondent would submit that the case referred by the petitioner in respect of the Recruitment of Lecturers in the Government Polytechnic College, is factually different. Since there was grave allegation made in the manner of conducting examination by out sourcing agency, the Government thought fit that the OMR should be uploaded to show the transparency. As far as this case is concerned, the examination was conducted by the Teachers Recruitment Board and there is no allegation of malpractice. Further, it is also contended by the learned counsel that merely 55,000 candidates have participated in the said examination and the petitioner herein being a disentitled candidate to come out with plea to publish the OMR sheet.

4.On considering the rival submission made by the learned counsel and on perusal of the affidavit, this Court finds that the reasons stated in the affidavit seeking publication of OMR sheet is only an attempt to make a roving enquiry to stall the process. The Court cannot be used as a tool to stall the executive functioning on mere suspicion and baseless allegation. Therefore, this Court finds that there is no merit in the writ petition.

5.In the result, the writ petition is dismissed. No costs.

Sd/

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS-IV)

To

1. The Chairman,
Teacher's Recruitment Board,
4th Floor, E.V.K.Sampath Maligai,
College Road, Chennai-6.
2. The Member Secretary,
Teacher's Recruitment Board,
4th Floor, E.V.K.Sampath Maligai,
College Road, Chennai-6.

+1 cc to M/s.D.Selvanayagam,Advocate,SR.No.96837

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SS/RSK/SAR 4/20.12.2018/2P/4C

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23.11.2018