IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07-02-2019

CORAM

THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No. 3687 of 2018
W.M.P.No.4513 of 2018

R.Kandasamy ... Petitioner

Vs

1. The Chairman,
   Teachers Recruitment Board, 4th Floor,
   EVK, Sampath Malaigai,
   DPI Compound, College Road,
   Chennai.

2. The Expert Committee, (Chemistry),
   Teachers Recruitment Board,
   EVK, Sampath Malaigai,
   DPI Compound, College Road,
   Chennai.

3. The State of Tamil Nadu,
   Represented by its Secretary,
   School Education Department,
   Secretariat, Chennai.

4. The State of Tamil Nadu,
   Represented by its Secretary to the Government
   Department of Higher School Education,
   Fort St.George,
   Chennai. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus or any other writ or order or direction in the nature of writ of Mandamus directing the respondents to award marks for the question in Serial "C" book let number CDE 707219 question numbers 3,53,70,77,94,109 and consequently, direct the 1st respondent to call the petitioner for certificate verification for the post of P.G.Assistant (Chemistry) within stipulated time fixed by this Hon'ble Court.

For Petitioner : Mr.K.Myilsamy
For Respondents : Mr.A.Rajaperumal
Additional Government Pleader

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O R D E R

The relief sought for in the present writ petition is to direct the respondents to award marks for the questions in serial "C" book let number, CDE 707219, question numbers 3,53,70,77,94,109.

2. The grievances of the writ petitioner is that certain questions were erroneously printed or set out in the question paper.

3. The learned counsel for the writ petitioner states that with reference to those erroneous questions, the writ petitioner is entitled to get marks.

4. This Court is of an opinion that the correctness or otherwise of the question papers and the key answers can never be verified by this Court in the present writ petition. However, the Competent Authorities have to check the correctness or otherwise through an expert body or the persons who are well-versed in the subject, in relation to the question papers. Court is not an expert body to consider and made the findings in respect of the correctness of the question papers, more specifically, in Chemistry subject. All such exercises are to be done by the Competent Authorities with the assistance of the experts in the field.

5. In this view of the matter, the writ petitioner is at liberty to submit a fresh representation setting out all the facts and details to the second respondent who in turn shall consider the same and pass orders on merits and in accordance with law, within a period of 12 weeks from the date of receipt of a copy of the representation from the writ petitioner. Accordingly, the writ petition stands disposed. No Costs. Consequently, connected miscellaneous Petition is closed.

s/d-
Assistant Registrar(CO)

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Sub-Assistant Registrar

To
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Department of Higher School Education,
Fort St.George,
Chennai.

+1 CC to Govt. Pleader sr 11878.
+1 CC to Mr.K.Myilsamy, Advocate sr 10607.

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PA(CO)
SP(07/03/2019)

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