

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.06.2019

CORUM

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and

THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Appeal No.1754 of 2019

K.Kaliyamoorthy

...Appellant

Vs.

1. The Chairman,
Teachers Recruitment Board,
College Road,
Chennai - 6.

2. The Member Secretary,
Teachers Recruitment Board,
College Road,
Chennai -6.

... Respondents

Writ Appeal filed under Clause 15 of the Letters Patent against the order passed by the learned single Judge of this Court in W.P.No.24011 of 2018 dated 28.03.2019.

WP.No. 24011 of 2018: To issue a Writ of Madamus order or direction in the nature of a Writ, directing the respondents to award one more mark for the Question and Answer "In Which Language the song "Vande Matharam" was written first" as Bengali correctly answered by the petitioner in TET Examination conducted by the respondents in the year 2013 for the petitioner (Registered Roll No. 13TE54210645)

For Appellant : Mr.C.Prakasam

For Respondents: Mr.C.Munusamy
Special Government Pleader

J U D G M E N T

(Judgment of the Court was delivered by K.K.SASIDHARAN, J.,)

The appellant appeared for the Teacher Eligibility Test conducted by the Teachers Recruitment Board in the year 2013. However, he was not successful. The appellant, long after the completion of the entire examination and the publication of

results, filed a writ petition in W.P.No.24011/2018. The writ petition was dismissed on the ground of delay and laches. Aggrieved by the same, the appellant has come forward with this intra court appeal.

2. The learned counsel for the appellant submitted that a writ petition was filed by another unsuccessful candidate immediately after the declaration of results. The said writ petition was disposed of only in the year 2018. The appellant, immediately thereafter, filed the present writ petition.

3. There is absolutely no merit in the contention taken by the appellant. The fact that a writ petition filed by another candidate was pending, cannot be a reason for the appellant to wait indefinitely and claim the relief later. We are therefore of the view that the learned single judge was perfectly correct in dismissing the writ petition on the ground of delay and laches.

4. In the upshot, we dismiss the intra court appeal. No costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

Vsi

TO

1. The Chairman,
Teachers Recruitment Board,
College Road,
Chennai - 6.

2. The Member Secretary,
Teachers Recruitment Board,
College Road,
Chennai - 6.

+1cc to Mr.C.Prakasam, Advocate, S.R.No. 47620
+1cc to the Government Pleader, S.R.No. 47582

W.A.No.1754 of 2019

BP(CO)
GN(02/08/2019)