

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Writ Petition No.13693 of 2014

M.Sankar

... Petitioner

vs.

The Teacher Recruitment Board,
rep. By Chairman,
College Road,
Chennai 600 006.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus, directing the Respondent to include the Petitioner's name in the select list published after 28.11.2013 against the MBC category Physics to the post of Post Graduate Assistant.

(Prayer amended as per order dated 28.05.2014 in M.P.No.2 of 2014 in W.P.No.13693 of 2014)

For Petitioner : Mr.M.Gnanasekar

For Respondent : Mr.C.Munusamy,
Special Government Pleader

ORDER

Petitioner has come up with this Writ Petition seeking a direction to the Respondent to include his name in the select list published after 28.11.2013 against the MBC category Physics to the post of Post Graduate Assistant.

2. According to the Petitioner, he is a Physics Graduate and he passed M.Sc. Physics during 2003-2005 and M.Phil. during 2005-2006 and subsequently passed B.Ed. in the year 2008. He appeared in the written examination conducted by the Teachers Recruitment Board for the post of Block Resource Teacher Educator. The Respondent/Board published the results, in which the Petitioner's name was included at Serial No.74. The Petitioner scored 101 marks and was called for Certificate verification on 05.11.2013. Though, according to the Petitioner, he was successful in the written examination, in the revised

list published by the Respondent/Teacher Recruitment Board, his name was found to be missing and he realized that, he lost one mark. As his marks were reduced from 101 to 100, he lost the criteria of eligibility.

3. Learned counsel for the Petitioner submitted that, though the Petitioner appeared in the written examination and secured 101 marks, the present list published shows that, he has secured only 100 marks. Hence, he prayed that, the Petitioner's name be included in the select list published after 28.11.2013 against the MBC category Physics to the post of Post Graduate Assistant.

4. On the other hand, learned Special Government Pleader appearing for the Respondent submitted that, the cut-off mark for candidates under MBC category is 101. However, as per the revised list, the Petitioner has secured only 100 marks.

5. Heard the learned counsel on either side and perused the material documents available on record.

6. Admittedly, the cut-off mark for candidates under MBC category is 101. Though the Petitioner claims to have secured 101 marks in the written examination as could be seen in page No.9 of the typed set of papers, as per the revised list, he has secured only 100 marks. The Petitioner, instead of challenging the revised list, has challenged the earlier list published by the Teachers Recruitment Board, which is not sustainable.

7. In view of the foregoing, this Court finds no reason to interfere with the policy decision of the Respondent/Board as regards fixation of cut-off marks, thereby, directing the Respondent/Board to include the name of the Petitioner in the selection list published after 28.11.2013 against the MBC category.

8. Accordingly, the Writ Petition fails and stands dismissed with liberty to the Petitioner to work out his remedy in the manner known to law. No costs. Consequently, connected M.P.No.1 of 2014 is closed.

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Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

(aeb)

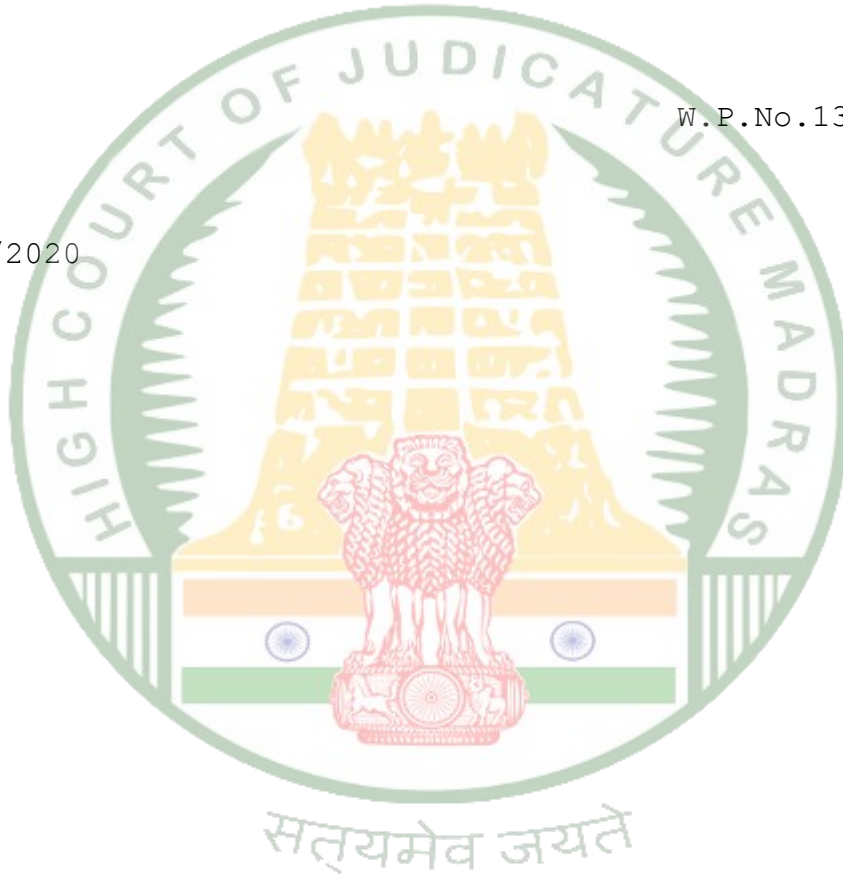
To:

The Chairman,
Teacher Recruitment Board,
College Road,
Chennai 600 006.

+lcc to M/s.M.Gnanasekar, Advocate Sr.36295
+lcc to the Government Pleader Sr.36494

W.P.No.13693 of 2014

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srg 04/12/2020



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