



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.02.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P. (MD) No.14773 of 2014

WEB COPY

T.Eswari

... Petitioner

vs.

1.The State of Tamil Nadu
Represented by its Principal Secretary
Department of School Education
Fort St.George, Chennai 9

2.The Chairman
Teachers Recruitment Board
EVK Sampath Maligai
DPI Compound College Road
Chennai -06

... Respondents

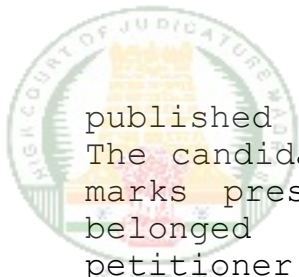
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of Mandamus, directing the respondents to give one mark to 'D' Type question No.118 in respect of the petitioner's Roll No.13PG05080129 and consequently select and appoint the petitioner to the post of Post Graduate Assistants in Government Higher Secondary School for the year 2012 -2013.

For Petitioner	:	Mr.V.R.Venkatesan
For R1	:	Mr.N.Shanmugaselvan Special Government Pleader
For R2	:	Mr.V.R.Shanmuganathan Special Government Pleader

O R D E R

The above Writ petition has been filed for a direction to the respondents to give one mark to 'D' Type question No.118 in respect of the petitioner's Roll No.13PG05080129 and consequently select and appoint the petitioner to the post of Post Graduate Assistants in Government Higher Secondary School for the year 2012-2013.

2.According to the petitioner, she possessed the qualification of Master Degree in M.A.History in first class and has successfully passed B.Ed., Degree in History. The second respondent has called for the examination to the post of Post Graduate Teacher. The petitioner appeared in the examination conducted by the second respondent on 21.07.2013. Thereafter, the selection list was



published and cut off marks were fixed for backward class as 111. The candidates who scored 111 marks are selected as per the cut off marks prescribed to Backward Class Community. The petitioner is belonged to Backward Class Community. The grievance of the petitioner is that though in Question No.118, she had given correct answer, mark was not assigned to her.

The Question No.118 is Nayangara System was introduced in Tamil Nadu by:

- (A) Krishna Devaraya (B) Kumarakampana (C) Devaraya -II
(D) Bukka -II

3. According to the petitioner, the correct answer is (A) Krishna Devaraya, but in the key answer the authority has mentioned (B) Kumarakampana as correct answer instead of (A). Krishna Devaraya. The learned counsel for the petitioner would submit that the provisional selection list for Direct Recruitment to the post of Post Graduate Teacher in Government Higher Secondary School for the year 2012-2013 was published where serial numbers 44, 67, 78, 79, 80, 89, 90 who secured 111 marks in the category of Backward Class Community were selected. The grievance of the petitioner is that in the event of adding one more mark to her total mark, her mark will come to 111 and she would be selected to the post of Post Graduate Teacher. Hence, the petitioner is before this Court.

4. The learned Special Government Pleaders appearing for the respondents would submit that the similarly placed person like that of the petitioner in this writ petition has challenged the key answer before this Court in W.P(MD).No. 17971 of 2013 where the learned Judge by an order dated 06.11.2013 has stated that the correct answer is 'Kumarakampana' and therefore, would pray for dismissal of this Writ petition.

5. The learned counsel for the petitioner would state that at that point of time all the facts were not produced before this Court and therefore, the petitioner therein was not able to demonstrate as to how the expert opinion is not correct. Now, the petitioner would state that he has produced number of documents to show that the Krishna Devaraya has introduced the Nayangara System and he would state now he will be able to establish that the expert opinion is wrong.

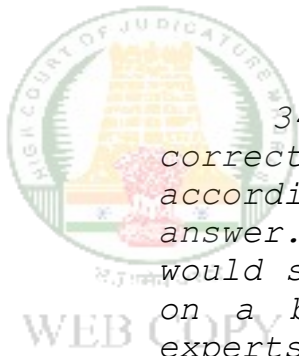
6. Heard the learned counsel for the petitioner and the learned Special Government Pleaders appearing for the respondents.

7. Admittedly, the same question No.118 in respect of introduction of Nayangara System in Tamilnadu, was already decided by this Court in W.P(MD).No.17971 of 2013 dated 06.11.2013 and the operative portion of the order is as follows:

"33. Question No.58 reads as follows:

58. Nayangara system was introduced in Tamil Nadu by:

- (A). Krishna Devaraya (B). Kumarakampana (C) Devaraya-II (D).
Bukka-II"*



34. According to the Board, the option "B" is the correct answer and the same is the key answer. But, according to the petitioner, the option "A" is the correct answer. The experts, who are present before this Court, would say that option "B" is the correct answer. They relied on a book authored by one V.T.Chellam. According to the experts, Kumarakampana was the son of Harihara Bukka and he only invaded the Tamil Nadu and he went upto Madurai, displaced Mughalaya rulers and introduced Nayangara system. The Nayangara system is relating to administrative reforms and it had given power to military officers to collect taxes. According to the experts, this was introduced in Tamil Nadu only by Kumarakampana and Krishnadevarar came to Tamil Nadu much later. The learned counsel for the petitioner is not in a position to demonstrate as to how the expert opinion is not correct.

35. Having regard to the textbook relied on by the experts and their opinion, I am fully convinced that the option "B" is the correct answer. Therefore, I hold that the Board was right in holding that option "B" is the correct answer and the same does not require any interference at the hands of this Court".

8. Admittedly, the experts were present before the Court and they had stated that option (B) Kumarakampana was the correct answer for the introduction of Nayangara System in Tamilnadu. The learned Government Counsel would state that the arguments advanced by the petitioner were advanced in the above writ petition also and only after considering the same, the learned Judge passed the order in the above Writ petition stating that Kumarakampana was the person who introduced the Nayangara System in Tamilnadu. Therefore, this Court is not able to deviate from the above finding. If at all it has to be questioned, the petitioner can question the same in the appellate forum as to the answer and therefore, the order passed in the above Writ petition is squarely applicable to the present case.

9. Accordingly, the Writ petition is dismissed. No costs.

Sd/-

Assistant Registrar ()

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Sub Assistant Registrar(CS)



To

1.The Principal Secretary
State of Tamil Nadu
Department of School Education
Fort St.George
Chennai 9

2.The Chairman
Teachers Recruitment Board
EVK Sampath Maligai
DPI Compound College Road
Chennai -06

+1 CC to M/s.V.R.VENKATESAN, Advocate (SR-4473[F]
+1 CC to M/s.Special Govt.Pleader (SR-4544[F]

W.P. (MD) No.14773 of 2014
03.02.2020

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