



WEB COPY

W.P.(MD)Nos.1840 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.11.2020

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD)No.1840 of 2015

and

M.P.(MD)Nos.1, 2 & 3 of 2015

R.Jeyachitra

... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by its Principal Secretary,
Department of School Education,
Fort St.George,
Chennai-09.

2. The Director of School Education,
College Road,
Chennai-06.

3. The Secretary,
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, to issue a Writ of Declaration, declaring the omission of question Nos.57 and 80 of the Booklet Series-B of Written Competitive Examination for Direct Recruitment of Post Graduate Assistants (2013-2014 & 2014-2015) for the subject of Tamil for valuation as illegal and null and void and consequently, to direct the third respondent to evaluate the said questions and award marks for the same and consequently, to consider the petitioner for recruitment to the post of Post Graduate Assistant (Tamil) within the time stipulated by this Court.

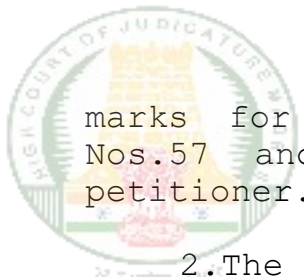
For Petitioner : Mr.T.Lajapathi Roy

For R1 & R2 : Mr.J.Gunaseelan Muthiah
Additional Government Pleader

For R3 : Mr.V.R.Shanmuganathan

ORDER

The relief sought for in the present writ petition is to evaluate the written examination papers of the petitioner and award



marks for the erroneous questions, more specifically, Question Nos.57 and 80 and accordingly, select and appoint the writ petitioner.

2.The grievances of the writ petitioner are that two questions were mistakenly printed in the question paper and marks were not awarded. If those two marks are awarded in favour of the petitioner, there is a likelihood of selecting the petitioner for appointment to the post of Post Graduate Assistant.

3.The counter affidavit filed by the third respondent Teachers Recruitment Board reveals that the prayer itself is a vague and the aforesaid two questions were not omitted from the valuation and therefore, the writ petition has become infructuous.

4.The two questions as alleged by the petitioner were evaluated for the purpose of awarding marks and accordingly, cut-off marks were fixed. Thus, the writ petitioner cannot seek direction to reevaluate the questions. Once the questions are evaluated and a common decision is taken by the Teachers Recruitment Board to award marks or not to award marks, it is to be applied uniformly to all the candidates who participated in the process of selection. In the present case, the said two questions were not omitted by the Teacher Recruitment Board. This apart, the Teachers Recruitment Board has categorically stated that regarding the correctness of the answers, the Court is not an expert body. The Court cannot evaluate the answers or answer sheets.

5.This being the factum now established, after a lapse of about five years, the selection already made deserves no interference and accordingly, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note:In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

1. The Principal Secretary,
Department of School Education,
Fort St.George,
Chennai-09.
2. The Director of School Education,
College Road,
Chennai-06.
3. The Secretary,
Teachers Recruitment Board,
EVK Sampath Maligai,
DPI Compound, College Road,
Chennai-06.

+1 CC to the SPL GP SR-22621.

+1 CC to Mr.T.LAJAPATHI ROY, Advocate SR-22873.

W.P. (MD) No.1840 of 2015
23.11.2020

MR (CO)

CS (04.12.2020) 3P 6C