



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.2527 of 2015

and

M.P.(MD)No.1 of 2015

Priya

... Petitioner

Vs.

1. The Secretary to Government,
School Education Department (TRB)
St.George Fort, Chennai 600009.

2. The Secretary,
Tamil Nadu Teacher Recruitment Board,
4th Floor, EVK Sampath Maligai,
DPI Compound, College Road,
Chennai-600006.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to award marks for correct answers like 20, 28, 81, 93, 94, 101, 106, 148 including deleted answers in series No.'D' and consequently, include the name of the petitioner in the selection list.

For Petitioner	: Mr.L.Rajiah
For R1	: Mr.J.Gunaseelan Muthiah Additional Government Pleader
For R2	: 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. 20, 28, 81, 93, 94, 101, 106 and 148 and accordingly, select and appoint the writ petitioner.

2.The grievances of the writ petitioner are that these questions were mistakenly printed in the question paper and marks were not awarded. If these five 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 second respondent Teachers Recruitment Board reveals that the prayer itself is a vague and the aforesaid questions were not omitted from the valuation and therefore, the writ petition has become infructuous.

4.The said 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 five 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 petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

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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 Secretary to Government,
School Education Department (TRB)
St.George Fort,
Chennai 600009.



2. The Secretary,
Tamil Nadu Teacher Recruitment Board,
4th Floor, EVK Sampath Maligai,
DPI Compound, College Road,
Chennai-600006.

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+1 CC to the SPL GP (SR-22619[F] dated 24/11/2020)

W.P. (MD) No. 2527 of 2015
23.11.2020

MR (CO)
CS (04.12.2020) 3P 4C