



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) Nos.1241, 1568, 2107, 2137, 394, 1209, & 673 of 2020,
26069, 27253, 26064, 27206, 26585, 26065 & 26068 of 2019
and W.M.P. (MD) .Nos.22940, 23505, 22546, 23540, 22556, 23541, 22555,
22551, 22558, 22548 and 22557 of 2019, 1276, 1275, 1798, 315,
22546, 1762, 1760, 317, 495, 496, 975, 1802, 976 and 1005 of 2020

Bhuvaneswari

...Petitioner in W.P.(MD) No.1241/ 2020

1. M.Ramesh

2.S.Senthilmurugan

3.R.Selvi

... Petitioners in WP(MD).1568/ 2020

4.S.Lakshmi Brindha

... Petitioner in WP(MD).2107/ 2020

1.S. Susi Sowmeya

2.K. Ramya

3.M. Uma

... Petitioners in WP(MD). 2137/ 2020

B.Revathi

... Petitioner in WP(MD). 394/ 2020

J.Balaji

... Petitioner in WP(MD). 1209/ 2020

E.Muthuvadivel

... Petitioner in WP(MD). 673/ 2020

A.Ananthavalli

... Petitioner in WP(MD). 26069/ 2019

1.R.Lavanya

2. C.Muthamil Selvi

3. C.Sangeetha

4. Aj.Arthi Mary

5. A.R.P.Racika

6. M.Nivetha Christy

7. K.Anitha

8. Hepzibah.J

9. R.Kamatchi

10. Babitha.G

11. Babu.G

12. M.P.Musammil

13. Periasamy.S

14. M.Vidhya

15. M.Thowlathnisa



16. Mathiyalagan.T

17. Sabarimani.G

18. S.Sudha

19. A.Nivas

20. Banumathi.N

21. Kowthami.J

22. A.Priya

23. K.Punitha

24. M.Deepa

25. R.Jeyanthi

26. N.Padmapriya

27. S.Sindhu

28. Sitha K

29. Velvizhi.M

30. S.Krishnaveni

31. Anuradha.V

32. Manimaran. K

33. Prabavathi. D

34. Saranya.N

35. Shanmugavadivu.V

36. S.Banuchitra

N.Paulvin Angel

... Petitioners in WP(MD). 27253/ 2019

... Petitioner in WP(MD). 26064/ 2019

1.P.Nathiya

2.M.Nathiya

... Petitioners in WP(MD).27206/ 2019

1. R.Birundha

2. N.Jasmine Priya

3. T.Abiyah

4. V.Thivya

5. R.Janci Rani

A.Alphonse Sahaya Mary

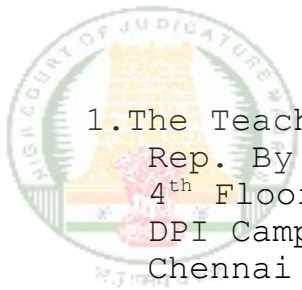
... Petitioner(s) in WP(MD).26585/ 2019

... Petitioner in WP(MD).26065/ 2019

R.Naveetha

... Petitioner in WP(MD). 26068/ 2019

Vs.



1.The Teachers Recruitment Board,
Rep. By its Member Secretary,
4th Floor, E.V.K. Sambath Maaligai,
DPI Campus, College Road,
Chennai - 600 006

2.The Controller of Examination,
Teachers Recruitment Board,
4th Floor, E.V.K. Sambath Maaligai,
DPI Campus, College Road,
Chennai - 600 006

3.The Director of School Education,
DPI Campus, College Road,
Chennai 600 006 ... Respondents in W.P.(MD) No.1241/ 2020

1.Teachers Recruitment Board, Rep. by its Chairman, IVth Floor,
Sampath Maligai, DPI Compound, College Road, Chennai-6

2. The Director of School Education, Directorate of School
Education, DPI Campus, College Road,
Nungampakkam,
Chennai-600 006. ... Respondents in WP(MD)No.1568, 2107, 394, 673
of 2020, 26069 26064, 27206, 26585,
26065, 26068 of 2019

1.The State of Tamil Nadu Rep.By its Principal Secretary, School
Education Department, Fort St. George, Chennai.

2.The Director of School Education, Directorate of School Education,
DPI Campus, College Road, Nungampakkam, Chennai-600 006.

3.The Chairman, Teachers Recruitment Board, 4th Floor, EVK Sampath
Maligai, College Road, Chennai.

4.The Member Secretary, Teachers Recruitment Board, 4th Floor, EVK
Sampath Maligai, College Road, Chennai.

... Respondents in WP(MD). 2137 & 1209/ 2020, 27253 Of 2019

PRAYER in W.P.(MD).1241/ 2020: Writ Petition filed under Article
226 of the Constitution of India for issuance of Writ of Mandamus,
directing the respondents to grant 6 marks to the petitioner for the
questions for which key answer was fault and consequently place the
petitioner in the provisionally selected list of candidates at BC
and BC-W roster for the post of Computer Instructor Grade-I, (Post
Graduate Cadre) for the year 2018-2019.

PRAYER IN WP(MD). 1568/ 2020:

Writ Petition is filed under Article 226 of the
Constitution of India, praying this Court to issue a Writ of
Declaration to declare the short listing of candidates for



certificate verification for the post of Computer Instructors Grade-I (Post Graduate Cadre) in School Education Department for the year 2018-2019 published in the official website of the 1st respondent dated 25/11/2019 and consequently for a direction, directing the respondent No.1 to conduct common examination afresh.

Prayer in WP(MD). 2107/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Declaration to declare the short listing of candidates for certificate verification for the post of Computer instructors Grade I (Post Graduate Cadre) in School Education Department for the year 2018-19 published in the officials website of the 1st respondent dated 25.11.2019 and consequently for a direction directing the respondent No.1 to conduct common examination afresh

Prayer in WP(MD).2137/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to direct the 3rd Respondent to include petitioners name in the selection list as the petitioners have passed in the examination held on 23-06-2019 for the post of computer Instructor Grade I (post Graduate Cadre) for the year 2018-2019 within a period that may be stipulated by this Honourable Court.

Prayer in WP(MD).394/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to call for the records in pursuant of the impugned Final Selection list for certificate verification dt 28.11.2019 for the Direct Recruitment of Computer Instructors grade-I (post Graduate cadre) based on the Online computerized examination issued by the 1st respondent and quash the same as illegal and further direct the 1st respondent to conduct Re-examination for all the candidates who appeared the examination conducted by the Respondent no.1 on 23.6.2019 and 27.6.2019.

Prayer in WP(MD).1209/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to cancel the recruitment process including the examination held on 23.6.2019 and 27.6.2019 in pursuant to the notification no.9/2019 dt 1.3.2019 issued by the 3rd Respondent and consequentially direct the Respondents to conduct the examination afresh in a transparent manner and make selection thereon within the period

Prayer in WP(MD). 673/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to declare the short listing of candidates for certificate verification for the post of Computer Instructors Grade I (post Graduate Carde) in school



education dept for the year 2018-19 published in the official website of the 1st respondent dt 25.11.2019 and consequently for a direction, directing the respondent no.1 to conduct common examination afresh.

Prayer in WP(MD) . 26069/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to Call for the records pertaining to the Impugned Final Selection List for the Certificate Verification dated 28.11.2019 for the Direct Recruitment of Computer Instructors Grade -I (Post Graduate Cadre) based on notification dated on 1.3.2019 as Online Computer Based Examination on the file of the Respondent No.1, and quash the same as illegal and further direct the respondent No.1 to conduct Re examination, for all the candidates who appeared the examination conducted by the Respondent No.1 on 23.6.2019 and 27.6.2019.

Prayer in WP(MD) . 27253/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to cancel the recruitment process including the examination held on 23/06/2019 and 27/06/2019 in pursuant to the notification No.9/2019 dt 01/03/2019 issued by the 3rd respondent and consequentially direct the respondents to conduct the examination afresh in a transparent manner and make selection thereon.

Prayer in WP(MD) . 26064/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to Call for the records pertaining to the Impugned Final Selection List for the Certificate Verification dated 28.11.2019 for the Direct Recruitment of Computer Instructors Grade -I (Post Graduate Cadre) based on notification dated on 1.3.2019 as Online Computer Based Examination on the file of the Respondent No.1, and quash the same as illegal and further direct the respondent No.1 to conduct Re examination, for all the candidates who appeared the examination conducted by the Respondent No.1 on 23.6.2019 and 27.6.2019.

Prayer in WP(MD) . 27206/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to declare the short listing of candidates for certificate verification for the post of Computer Instructors Grade I (Post Graduate Cadre) in School Education Department for the year 2018-19 published in the official website of the 1st respondent dated 25.11.2019 by way of adopting normalization of marks as illegal and violative of the Clause 7 (iii) of the notification dated 1.3.2019 issued by the respondent No.1 and consequently for a direction directing the Respondent No.1 to conduct common examination afresh within the time period stipulated by this Honourable court.



Prayer in WP(MD) .26585/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to declare the short listing of candidates for certificate verification for the post of Computer Instructors Grade I, (post Graduate Cadre) in School Education Department for the year 2018-19 published in the official website of the 1st Respondent dated 25.11.2019 by way of adopting normalization of marks as illegal and violative of the Clause 7 (iii) of the Notification dated 1.3.2019 issued by the respondent No.1 and consequently for a direction, directing the Respondent No.1 to either conduct common examination afresh or in the alternative to shortlist the candidates based on their actual marks as per Clause 7 (iii) of the Notification dated 1.3.2019 issued by the Respondent No.1.

Prayer in WP(MD) . 26065/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to Call for the records pertaining to the Impugned Final Selection List for the Certificate Verification dated 28.11.2019 for the Direct Recruitment of Computer Instructors Grade -I (Post Graduate Cadre) based on notification dated on 1.3.2019 as Online Computer Based Examination on the file of the Respondent No.1, and quash the same as illegal and further direct the respondent No.1 to conduct Re examination, for all the candidates who appeared the examination conducted by the respondent No.1 on 23.6.2019 and 27.6.2019.

Prayer in WP(MD) . 26068/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to Call for the records pertaining to the Impugned Final Selection List for the Certificate Verification dated 28.11.2019 for the Direct Recruitment of Computer Instructors Grade -I (Post Graduate Cadre) based on notification dated on 1.3.2019 as Online Computer Based Examination on the file of the Respondent No.1, and quash the same as illegal and further direct the respondent No.1 to conduct Re examination, for all the candidates who appeared the examination conducted by the respondent No.1 on 23.6.2019 and 27.6.2019.

For Petitioner: Mr.B.Prasanna Vinoth

in W.P.(MD) No.1241/ 2020

Mr.T.Lajapathi Roy

in WP(MD)No.1568/2020

in WP(MD)No.673/2020,

in WP(MD)No.27206/2019,

in WP(MD)No.26585/2019

Mr.Chamundi Bose in WP(MD)No.2107/2020



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WP(MD) Nos.1241 of 2020..etc (batch)

Mr.N.Mohan in WP(MD)No.2137/2020
Mr.M.Karthikeya venkitachalapathy
in WP(MD)No.394/2020
Mr.C.Venkateshkumar for M/s.Ajmal
Associates in WP(MD)No.1209/ 2020
in WP(MD)No.27253/ 2019
Mr.S.Lenin prabu, in WP(MD)No.26069/2019
in WP(MD)No.26064/2019
in WP(MD)No.26065/2019
in WP(MD)No.26068/2019

For Respondents 1 & 2 : Mr.VR.Shanmuganathan,
Standing Counsel
in W.P.(MD) No.1241/ 2020

For Respondent 1 : Mr.VR.Shanmuganathan,
in WP(MD)No.1568/2020
in WP(MD)No.2107/2020
in WP(MD)No.394/2020
in WP(MD)No.673/2020
in WP(MD)No.26069/2019
in WP(MD)No.26064/2019
in WP(MD)No.27206/2019
in WP(MD)No.26585/2019
in WP(MD)No.26065/2019
in WP(MD)No.26068/2019

For Respondent Nos.3 and 4: Mr.VR.Shanmuganathan,
in WP(MD)No.2137/2020
in WP(MD)No.1209/2020
in WP(M) dNo.27253/2019

For Respondent No.1 and 2: Mr.A.Thiyagarajan,
in WP(MD)No.2137/2020
in WP(MD)No.1209/2020
in WP(MD)No.27253/2019

For Respondent No.2 : Mr.A.Thiyagarajan
in WP(MD)No.1568 / 2020
in WP(MD)No.2107 / 2020
in WP(MD)No.394 / 2020
in WP(MD)No.673 / 2020
in WP(MD)No.26069 / 2019
in WP(MD)No.26064 / 2019
in WP(MD)No.27206 / 2019
in WP(MD)No.26588 / 2019
in WP(MD)No.26065 / 2019
in WP(MD)No.26068 /2019

For Respondent No.3 : Mr.A.Thiyagarajan,
Government Advocate
in W.P.(MD) No.1241/ 2020



C O M M O N O R D E R

Since the issue involved in all these writ petitions are one and the same, they are disposed of by this common order.

2. In all these writ petitions, the candidates are aggrieved against the mode of selection process and had pointed out various errors in the process. When identically placed candidates had approached the Principal Bench of the Madras High Court, a learned Single Judge has passed an order in W.P.No.35198 of 2019... etc. batch dated 17.12.2020, taking a view that such grievances could be addressed before a One Man Committee and by conduct of an enquiry into the allegations of three centres. On appeal, the Hon'ble Division Bench of the Principal Seat at Madras High Court, in its order dated 10.02.2021 had enlarged the scope of the enquiry by the One Man Committee ordered by the learned Single Judge and had granted liberty to the Committee to invite all the candidates to point out any glaring errors. While ordering so, the Hon'ble Division Bench has also inducted another member to the Committee. The enquiry is now said to be pending before the said Committee constituted, pursuant to the orders of the Hon'ble Division Bench.

3. Since the petitioners in these writ petitions have also approached this Court complaining of certain irregularities/errors including the method adopted for normalization procedures, malice, the validity of question printed in English, mistakes in key answers... etc., in the selection process, it would be appropriate to refer their grievances to the aforesaid Committee and this Court would not be justified in parallelly adjudicating such of these issues, which could be pending before the Hon'ble Committee.

4. It is brought to the notice of this Court by the learned Government Advocate that the two member Committee, constituted by Madras High Court, is now conducting an enquiry at 4th Floor, E.V.K. Sambath Maaligai, D.P.I. Campus, College Road, Nungambakkam Chennai - 600 006.

5. In the light of the above observations, the petitioners are granted liberty to approach the two member Committee with the necessary applications, seeking for redressing their grievances, supported by all documents, on which they rely upon, as expeditiously as possible.

6. With the above liberty, these writ petitions stand closed. However, there shall be no order as to costs. Consequently,



connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

// True Copy //

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/ /2021

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,
The State of Tamil Nadu,
School Education Department,
Fort St.George,
Chennai.
- 2.The Chairman,
Teachers Recruitment Board,
IV th Floor, Sampath Maligai,
DPI Compound, College Road,
Chennai-6.
- 3.The Member Secretary,
Teachers Recruitment Board,
4th Floor, E.V.K. Sambath Maaligai,
DPI Campus, College Road,
Chennai - 600 006
- 4.The Director of School Education,
DPI Campus, College Road,
Chennai 600 006
- 5.The Controller of Examination,
Teachers Recruitment Board,
4th Floor, E.V.K. Sambath Maaligai,
DPI Campus, College Road,
Chennai - 600 006



WP(MD) Nos.1241 of 2020..etc (batch)

+1cc to Mr.B.PRASANNA VINOTH, ADVOCATE, SR NO 11258

+1cc to Mr.M.KARTHIKEYA VENKITACHALAPATHY, ADVOCATE, SR NO.11395

+4cc to Mr.T.LAJAPATHIROY, ADVOCATE, SR NO.11324,11325,11326,11327

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W.P. (MD) Nos.1241, 1568, 2107, 2137,
394, 1209, & 673 of 2020, 26069,
27253,26064, 27206, 26585, 26065 & 26068
of 2019

Dated:

15.03.2021

KK(01.06.2021) 10P 12C