



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:05.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. (MD)No.20476 of 2017

and

W.M.P (MD) .No.16745 of 2017

WEB COPY

N.Prasanna

... Petitioner

Vs.

1.State of Tamil Nadu

Rep by its Principal Secretary,
Department of Education,
Fort St.George,
Secretariat,
Chennai-9.

2.Teachers Recruitment Board,

Rep by its Chairman
4th Floor, EVK Sampath Maligai,
DPI Compound, College Road,
Chennai-6.

... Respondents

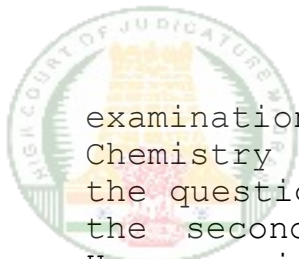
Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to award marks for the question No.8,12,14,32,38,39,73,84 and 104 in Booklet Series B in Chemistry Subject and reevaluate the answer sheet of the petitioner in Chemistry Subject and consequently, to appoint the petitioner in the post of Post Graduate Assistant earmarked for SC-A Category in Chemistry within the time period stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy
For Respondents : Mr.VR.Shanmuganathan
Special Government Pleader

O R D E R

This Writ Petition has been filed for a direction to the respondents to award marks for the question Nos.8,12,14,32,38,39,73,84 and 104 in Booklet Series B in Chemistry Subject and reevaluate the answer sheet of the petitioner in Chemistry Subject and consequently, to appoint the petitioner in the post of Post Graduate Assistant earmarked for SC-A Category in Chemistry.

2.It is the case of the petitioner that she has completed B.Ed., in the year 2013 and also completed M.Phil., in the year 2017. The petitioner belongs to Schedule Caste Arunthathiyar Community. While so, the petitioner has participated in the written



examination, which was conducted on 02.07.2017, wherein, in Chemistry Subject, Booklet Series-B, the answer/choices given for the question Nos. 8,12,14,32,38,39,73,84 and 104, were wrong. Hence, the second respondent to grant marks for all these questions. However, in the valuation, marks were not provided for all the above mentioned questions. In the said examination, the petitioner secured 66 marks. If the petitioner's answer sheet is revaluated by way of providing marks for all the above mentioned wrong answers, she will be get more marks than the cut-off marks. Hence, the petitioner has made a representation, dated 28.09.2017 to the respondents. So far no order has been passed. Hence, the present writ petition is filed.

3.The learned counsel appearing for the petitioner submitted that during the pendency of the writ petition, the respondents had awarded marks in favour of the petitioner and hence, the petitioner claims that she is under the zone of consideration. Hence, this Court may issue a direction to the respondents to consider the petitioner's representation, dated 28.09.2017 within the time stipulated by this Court.

4.The learned Special Government Pleader appearing for the respondents submitted that he has no serious objection for considering the petitioner's representation.

5.Considering the facts and circumstances of the case, this Court, without expressing any opinion on the merits of the case, directs the first respondent to consider the petitioner's representation, dated 28.09.2017, and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6.With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AE)

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Sub Assistant Registrar(CS)

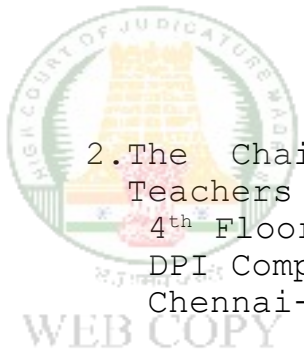
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To

1.State of Tamil Nadu

Rep by its Principal Secretary,
Department of Education,
Fort St.George,
Secretariat,

<https://hcservices.csema.gov.in/hcservices/>



2.The Chairman,
Teachers Recruitment Board,
4th Floor, EVK Sampath Maligai,
DPI Compound, College Road,
Chennai-6.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-9646[F] dated 09/03/2021
)

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and

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