



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **11.11.2021**

CORAM :

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

WEB COPY

W.P(MD)No.22432 of 2017
and
W.M.P(MD)No.18749 of 2017

N.Mohammed Nabeel

... Petitioner

Vs.

1.The Member Secretary-TNSET 2017,
Mother Teresa Women's University,
Nodal SET Agency for Tamil Nadu,
Attuvampatti, Kodaikanal,
Dindigul District.

2.The Steering Committee Member-TNSET 2017,
Mother Teresa Women's University,
Nodal SET Agency for Tamil Nadu,
Attuvampatti, Kodaikanal,
Dindigul District.

3.Mother Teresa Women's University,
represented by
The Registrar,
Attuvampatti, Kodaikanal,
Dindigul District.
(R3 is Suo motu impleaded vide Court
order dated 14.09.2021, in
W.P. (MD)No.22432 of 2017)

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating the impugned order passed by the 1st respondent in her proceedings no.nil dated 13.11.2017, in respect of final key answer provided for TNSET-2017 Commerce Subject question paper-II Code-F pertaining to Question No.17 provided by the first respondent as incorrect and quash the same as illegal and consequentially to direct the 1st respondent to declare the petitioner bearing Reg.No.13123935 to have qualified in TNSET-2017 within the period that may be stipulated by this Court.

For Petitioner	:	Mr.M.Ajmal Khan, Senior Coundel, for M/s.Ajmal Associates
For Respondents	:	Mr.E.V.N.Siva for R1.



O R D E R

The petitioner applied for Tamil Nadu State eligibility Test (TNSET-2017) on 12.02.1017 with an ambition to get into cadre of Assistant Professor . The qualification prescribed for the Tamil Nadu State Eligibility Test is 55% for General Category and 50% for other Categories.

2.The claim of the petitioner is that for the Question No.17 in Paper-II Code No. "F", the answer is 'job rotation'. But, in the options, the answer of 'job rotation' is not there. The petitioner has enclosed several materials to substantiate his claim.

3.Heard the learned Senior Counsel for the petitioner and Mr.E.V.N.Siva, learned Counsel for the first respondent.

4.Since Expert Committee alone can decide this issue, both the learned Counsel have agreed to remand back to the Expert Committee's opinion. Therefore, this Court is remanding the matter to the first respondent represented by the third respondent to constitute an Expert Committee within two weeks. The Expert Committee shall analysis the issue and submit the report. The petitioner is allowed to make his submissions before the Expert Committee. The Expert Committee shall submit it's report within four weeks. Thereafter, the Expert Committee's report shall be submitted before the first respondent. The first respondent shall take a decision within four weeks. The time limit prescribed above starts from the date of receipt of a copy of this order.

5.With these directions, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (AS)

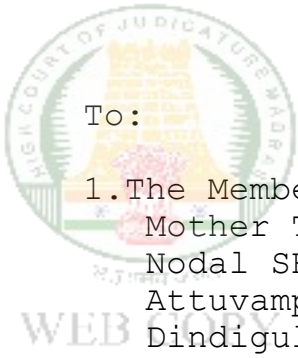
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/ /2021

Sub Assistant Registrar(CS)

gbg/btr

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 Member Secretary-TNSET 2017,
Mother Teresa Women's University,
Nodal SET Agency for Tamil Nadu,
Attuvampatti, Kodaikanal,
Dindigul District.
- 2.The Steering Committee Member-TNSET 2017,
Mother Teresa Women's University,
Nodal SET Agency for Tamil Nadu,
Attuvampatti, Kodaikanal,
Dindigul District.
- 3.The Registrar, Mother Teresa Women's University,
Attuvampatti, Kodaikanal,
Dindigul District.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-34316[F] dated
12/11/2021)

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and
W.M.P (MD) No.18749 of 2017

11.11.2021

RD/PM (12.11.2021) 3P 5C