



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 17.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.6053 of 2022

K.Venkatesh

... Petitioner

Vs.

Teachers Recruitment Board,
Rep. by the Chairman,
4th Floor, EVK Sampath Maligai,
DPI Campus, College Road,
Near Sankara Nethralaya (Main)
Subba Road Avenue,
Nungambakkam, Chennai - 6.

... Respondent

Prayer: Writ petition filed under Section 226 of the Constitution of India seeking to issue a Writ of Mandamus, to direct the respondent to consider and pass an order on merits by disposing the written representation made by the petitioner dated 07.01.2022.

For Petitioner : Mr.J.Muthuchelvi

For Respondent : Mr.C.Kathiravan
Standing Counsel

ORDER

By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. The case of the petitioner in brief:

The petitioner herein has applied for the post of Lecturer in Government Polytechnic and the respondent Board has conducted the examination on 11.12.2019. The said examination was held at Vivekananda College of Engineering for Women, Elayampalayam, Thiruchencode, Namakkal District Centre of Examination at 9.00 A.M to 12.00 P.M. On that day, the petitioner appeared for the examination and due to technical problem for 10 to 15 minutes,



computer was shut down till 11.30 a.m. Thereafter, the petitioner came to know that there was some malpractices committed in conducting the examination. Therefore, the petitioner made a representation to the respondent on 07.01.2022. Since there was no response from the respondent, the petitioner has filed the present writ petition.

3. The learned counsel appearing for the petitioner would submit that the petitioner had suffered due to some malpractices and irregularities committed in the examination centre and therefore, he immediately, made a complaint to the authority concerned.

4. The learned Standing Counsel appearing for the respondent Board would submit that so far, no complaint has been received from any of the candidates who have appeared for the examination that took place on 11.12.2019 in the same centre.

5. According to the writ petitioner, he has made a complaint to the respondent Board that there was malpractices committed in conducting the examination at Vivekananda College of Engineering for Women, Elayampalayam, Thiruchencode, Namakkal District Centre of Examination at 9.00 A.M to 12.00 A.M. But, no action was taken by the respondent Board. Hence, the petitioner filed the present writ petition seeking for a direction to the respondent Board to take action based on the representation of the petitioner.

6. On a perusal of the affidavit filed by the petitioner, it reveals that the petitioner made a representation to the respondent Board on 07.01.2022. But, no satisfactory material has been placed before this Court that the petitioner has approached the authorities concerned forth with to make such a representation. After participating in the examination i.e., after a lapse of two years, he has filed the present complaint to the respondent and therefore, it cannot be a justifiable ground to pass appropriate directions as prayed in the writ petition. Therefore, in the absence of any satisfactory materials placed before this Court as against the malpractices conducted in the examination centre on 11.12.2019 and till date, no other complaint has been preferred by any other candidates who have appeared for the examination, this Court is not inclined to grant such relief as prayed for by the petitioner. There is no prima facie case made out and hence, the present writ petition is liable to be dismissed.



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7. In fine , this writ petition stands dismissed. No costs.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

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To

The Chairman,
Teachers Recruitment Board,
4th Floor, EVK Sampath Maligai,
DPI Campus, College Road,
Near Sankara Nethralaya (Main)
Subba Road Avenue,
Nungambakkam, Chennai - 6.

+1cc to M/s.J.Muthuchelvi, Advocate Sr.18452

W.P.No.6053 of 2022

ss[col]
srg 05/05/2022