



WEB COPY



WP No.31182 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17-10-2022

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

WP No.31182 of 2019

And

WMP Nos.31311 and 31314 of 2019

And

WMP No.11846 of 2022

Mrs.P.Guna Sundari

..

Petitioner

vs.

The Chairman,
Teacher Recruitment Board,
4th Floor, E.V.K. Sampath Maligai,
College Road,
Chennai – 600 006.

..

Respondent

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondent to review the result of the petitioner for Online Examination held on 27.09.2019 for the post of PG Assistant (Zoology) by following the Rules and Regulations pertaining to the correction, calculation and verification of



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the question and arguments against the candidates who have been selected also by revealing Caste/Category under Notification Number 10/2019 dated 12.06.2019 by the respondent.

For Petitioner : Mr.C.Umashankar

For Respondent : Mr.C.Kathiravan,
Special Government Pleader

(TRB).

O R D E R

The relief sought for in the present writ petition is to direct the respondent to review the result of the petitioner for Online Examination held on 27.09.2019 for the post of PG Assistant (Zoology) by following the Rules and Regulations pertaining to the correction, calculation and verification of the question and arguments against the candidates, who have been selected also by revealing Caste/Category under Notification Number 10/2019 dated 12.06.2019.

2. The writ petitioner participated in the process of selection for appointment to the post of PG Assistant (Zoology) in Tamil Nadu Educational Services.



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3. The petitioner participated in the Written Examination and was successful, but she was not selected.

4. The learned counsel for the writ petitioner states that the procedures adopted for selecting the candidates and the consequential publication of Provisional Select List are not in consonance with the procedures as contemplated.

5. The respondent has not followed the Rule of Reservation correctly, which resulted denial of an opportunity to the petitioner for selection to the post of PG Assistant (Zoology).

6. The learned counsel for the petitioner made a submission that the selection process has to be followed from 'General Turn' and not from the 'Special Category'. If the Provisional Selection List is perused, it can be seen that the candidates were selected from GT (W) (Special Category) first but not from the GT and if correct process would have been followed, the cut off



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marks would have been reduced and the petitioner would have been selected. The procedure, as stated by the petitioner, is no way connected with the procedures followed by the respondent.

7. The petitioner has suggested that the first candidate must be selected from General Turn and such a suggestion is unknown to the procedure, which is being adopted by the Teachers Recruitment Board.

8. Perusal of the list reveals that they have listed out the candidates based on the marks scored by the respective candidates and thereafter, their Community Status is mentioned and subsequently, the other particulars are provided.

9. Based on the marks, they have categorised and applied the Rule of Reservation, the suggestion of the petitioner is relatable to '200 Point Roster System', which is inapplicable in respect of the recruitments made through the Teachers Recruitment Board and the Tamil Nadu Public Service Commission.



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10. Therefore, the very suggestion of the writ petitioner is unconnected with the process and selection already conducted and completed by the Teachers Recruitment Board in the present case.

11. The learned Special Government Pleader, appearing on behalf of the respondent-Board, made a submission that the petitioner was not even within the zone of consideration. The respondent-Board uploaded the provisional list of computer based test in the website on 21.10.2019. The minimum eligible cut off marks for the selection of SCG is 81 marks, for SW is 81 marks and for PSTM candidate SGT/SWT is 68 marks. Since the petitioner has secured only 80 marks in Scheduled Caste Category, she was not called for certificate verification.

12. In view of the fact that the petitioner was not within the zone of consideration as she has secured only 80 marks and she was not invited for certificate verification. Thus, this Court do not find any infirmity in respect of the procedures followed and the selection made. Therefore, the



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writ petitioner has not established any acceptable ground for the purpose of considering the relief as such sought for in the present writ petition.

13. Accordingly, the writ petition stands dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are also dismissed.

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Index : Yes/No.
Internet : Yes/No.
Speaking Order/Non-Speaking Order.
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S.M.SUBRAMANIAM, J.

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