



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2022

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 29445 of 2017

and

W.M.P. Nos. 31703 and 31704 of 2017

M.Nithyakalyani

...Petitioner

-vs-

1. The Chairman,
Teachers Recruitment Board,
4th Floor, EVK Sampath Maligai,
DPI Compound,
College Road,
Chennai - 600 006.
2. The Expert Committee, (Economics)
Teachers Recruitment Board,
4th Floor, EVK Sampath Maligai,
DPI Compound,
College Road,
Chennai - 600 006.

...Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the First Respondent to consider the Petitioner representation dated 14.10.2017 and to award marks for the questions is Serial 'B' question Numbers 9, 18, 26, 31 and 85 consequently direct the First Respondent to call the Petitioner to the Certificate Verification for the post Graduate Assistants (Economics) within the stipulated period.

For Petitioner	:	Ms. M.Malar
For Respondents	:	Mr. C.Kathiravan

O R D E R

Heard Ms. M.Malar, Learned Counsel for the Petitioner, Mr. C.Kathiravan, Learned Counsel appearing for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The Petitioner had applied for the Post Graduate Assistants (Economics) in furtherance to the notification dated



09.05.2017 published by the Respondents and she had secured 74 marks in the written test held on 02.07.2017, but was not selected as the vacancies had been filled up by candidates, who had secured higher marks than her. According to the Petitioner, question nos. 9, 18, 26, 31 and 85 in Serial B in the written test was confusing for which she had made objections in her representation dated 19.07.2017 and as no action has been taken in that regard, she has filed this Writ Petition.

3. It has been explained by the First Respondent in the Counter-Affidavit that the tentative key answers for all subjects had been published on the website on 19.07.2017 and the candidates were asked to submit their representations for any objections to the tentative key answers with relevant proof of authority on or before 23.07.2017 in that regard. It is further stated that a committee of subject experts with academic excellence has examined the representations received from the candidates, discussed the objections on the basis of authoritative texts and prepared final key answers and the optical mark reader answer sheets of all candidates were evaluated on that basis and the provisional result was published on 11.08.2017 for the written test and the provisional selection was made on 19.10.2017 and the posts have been filled up with the selected candidates.

4. It is evident from the rival submissions that the Petitioner had made the representation dated 14.10.2017 long after the last date for sending objections and the publication of the provisional list and that the Writ Petition has been filed on 14.11.2017 when selection had been completed by the Respondents. In such circumstances, the belated representation made by the Petitioner cannot be entertained and the Writ Petition has to be necessarily rejected on the sole ground of delay and laches.

In fine, the Writ Petition is dismissed. Consequently, the connected Miscellaneous Petitions are closed. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

1. The Chairman,
Teachers Recruitment Board,
4th Floor, EVK Sampath Maligai,
DPI Compound,
College Road,
Chennai - 600 006.
2. The Expert Committee, (Economics)
Teachers Recruitment Board,
4th Floor, EVK Sampath Maligai,
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+1cc to M/s.C.Kathiravan, Advocate, S.R.No.34467

W.P. No. 29445 of 2017

BP (CO)
KKV/24/06/2022