



W.P.(MD)No.7218 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.12.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.7218 of 2020

and

W.M.P.(MD)Nos.6657 and 6659 of 2020

C.Anitha Mary

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep by its Secretary,
Department of School Education,
Fort St. George, Chennai – 600 009.
2. The Directorate of School Education,
College Road, Chennai – 600 006.
3. The Joint Director of School Education,
(Vocational), College Road,
Chennai – 600 006.
4. The Teachers Recruitment Board,
Rep. by its Member Secretary,
4th Floor, EVK Sampath Maaligai,
DPI Compound, College Road,
Chennai – 600 006.

... Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Declaration, declaring the Final Key Answer issued by the 4th respondent Teachers Recruitment Board to Question Nos. 39 & 58 in the selection and appointment of Computer Instructors Grade – I under TRB Notification No. 09/2019 dated 01.03.2019 as illegal, null and void and further Direct the 4th respondent to treat option 'D' for question No. 39 and option 'A' for question No.58 (as notified in the Tentative Answer Key dated 29.07.2019), as the only right answer and process the selection on the said basis.

For Petitioner	:	Mr.K.Ragatheesh Kumar for M/s.Isaac Chambers
For R1 to R3	:	Mr. S.Shaji Bino Special Government Pleader
For R4	:	Mr.V.R.Shanmuganathan Standing Counsel

ORDER

This writ petition has been filed to declare the Final Key Answer issued by the 4th respondent Teachers Recruitment Board to Question Nos.39 & 58 in the selection and appointment of Computer Instructors



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Grade – I under TRB Notification No. 09/2019 dated 01.03.2019 as illegal, null and void and further direct the fourth respondent to treat option 'D' for question No.39 and option 'A' for question No.58 (as notified in the Tentative Answer Key dated 29.07.2019), as the only right answer and process the selection on the said basis.

2. The learned counsel for the petitioner would submit that the petitioner possessed M.S.c., M.Ed., and M.Phil., degrees. He is working as Assistant Professor in Annai Velakanni College, Tholayavattam in the self financing section. As per qualification, the petitioner is eligible to be appointed as Computer Instructor Grade - I under the School Education Department. The first respondent issued G.O.Ms.No.26, dated 12.02.2019 for filling up 814 posts of Computer Instructor Grade - I posts and entrusted the process of selection to the fourth respondent Teachers Recruitment Board. The Teachers Recruitment Board issued notification on 01.03.2019 inviting applications from the eligible candidates. The petitioner participated in the selection process and he attended all the questions including the question Nos.39 and 58 and he marked the correct answers.



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However, later as per the tentative key answer and subsequently, tentative key answer was modified as final key answer, for which, in respect of question No.39, they declared 'C' and 'D' as correct answer and in respect of question No.58, they declared all answer as correct. Hence, the petitioner loses his chance, the person who was not given the correct answer, even who attend the question are entitled to get marks along with the petitioner. Aggrieved by the same, the petitioner made a representation on 26.05.2020 and the same was not considered. Hence, the present writ petition is filed with the above said prayer.

3. The learned counsel for the petitioner further submit that though the petitioner filed a writ petition challenging the selection process, however, he would submit that this Court may issue a direction to the fourth respondent to consider the petitioner's representation, dated 26.05.2020 and pass appropriate orders within the time limit.

4. Considering the facts and circumstances of the case, this Court directs the fourth respondent to consider the petitioner's representation



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dated 26.05.2020 and pass appropriate orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

15.12.2022

Index : Yes / No

Speaking Order : Yes / No

RM



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M.DHANDAPANI,J.

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