



WP(MD)No.16788 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **29.07.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE M.S.RAMESH**

W.P.(MD)No.16788 of 2022

and

W.M.P.(MD)Nos.12169 and 12170 of 2022

V.Venkatachalapathy

... Petitioner

/vs./

1.Teachers Recruitment Board,
Represented by its Chairman,
3rd Floor, Puratchi Thalaivar Dr.MGR Centenary Building,
DPI Campus, College Road,
Chennai-600 006.

2.Teachers Recruitment Board,
Represented by its Member Secretary,
3rd Floor, Puratchi Thalaivar Dr.MGR Centenary Building,
DPI Campus, College Road,
Chennai-600 006.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to revise the final answer key by granting marks for the wrong questions in the written examination pertaining to the Direct Recruitment for the post of PG Assistant Mathematics uniformly for all the candidates who have written the computer based test in all



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the three batches/sessions and publish the revised written examination results within the time period stipulated by this Court.

For Petitioner : Mr.Aswin Rajasimman
for Mr.T.Lajapathi Roy
For Respondents : Mr.V.R.Shanmuganathan
Standing Counsel

ORDER

By consent of both the parties, this writ petition is taken up for final disposal.

2.The petitioner herein had given a representation to the respondents on 20.07.2022 seeking for revision of the final answer key by granting marks for the wrong questions in the written examination pertaining to the Direct Recruitment for the post of PG Assistant Mathematics uniformly for all the candidates, who have written the computer based test in all the three batches/sessions and for publishing the revised written examination results. Since the said representation was not considered, the present writ petition has been filed.



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3.It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

4.In the light of the above observations, there shall be a direction to the second respondent herein to consider the petitioner's representation dated 20.07.2022 on its own merits and pass appropriate orders in accordance with law, within a period of two (2) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.



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Consequently, connected miscellaneous petitions are closed.

29.07.2022

Index : Yes / No
Internet : Yes / No
sji/sm



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M.S.RAMESH, J.

sji/sm

Order made in
W.P.(MD) No.16788 of 2022

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