



W.P.No.18890 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.10.2023

CORAM:

THE HONOURABLE **MRS. JUSTICE V.BHAVANI SUBBAROYAN**

W.P.No.18890 of 2017

and

W.M.P.No.20404 of 2017

K. Prema

.. Petitioner

Versus

1. The State of Tamil Nadu

Represented by its Secretary
School Education Department
Secretariat, Fort St. George
Chennai - 600 009.

2. The Director of School Education

DPI Campus College Road,
Chennai - 600 006.

3. The Chairman

Teacher Recruitment Board,
Government of Tamil Nadu
4th Floor, EVK Sampath Maligai,
DPI Compound College Road,
Chennai - 600 006.

.....Respondents



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Prayer: This writ petition is filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus directing the Respondents to award appropriate mark for the petitioner for the question No.148 “ A' series of Paper II by accepting Option “B” as correct key answer based on Text Book Materials approved by the Government of Tamil Nadu and National Council of Educational Research And Training (NCERT) and thereby declare the petitioner as pass in Teachers Eligibility Test conducted on 30.04.2017 and to pass orders.

For Petitioner :M/s.K. Elango

For Respondents 1 and 2 :Mr.T.M. Rajangam
Government Advocate

For Respondent 3 : Mr.R. Siddarth

ORDER

This writ petition is filed to issue a writ of Mandamus directing the Respondents to award appropriate mark for the petitioner for the question No.148 “ A' series of Paper II by accepting Option “B” as



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correct key answer based on Text Book Materials approved by the Government of Tamil Nadu and National Council of Educational Research And Training (NCERT) and thereby declare the petitioner as pass in Teachers Eligibility Test conducted on 30.04.2017.

2. The case of the petitioner is that the petitioner has participated in the Teachers Eligibility Test Examination conducted on 29.04.2017. Thereafter, the results was published wherein the petitioner has scored 81 marks, whereas the pass mark was fixed as 82. The grievance of the petitioner is that she was given “A” serious question paper and for Question No.148 the correct answer is “B” and she has also marked “B”. But, in the answer key published by the Teachers Recruitment Board they have noted the correct answer as “D” which is not correct. If they modify the answer as “B” which is the correct one as per the Tamil Nadu Text Book, the petitioner will be awarded one mark and by that her score will be 82 and she will qualified. Hence this petition.

3. Today when the matter is taken up for hearing the learned Government Advocate furnished a copy of the expert committee report



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wherein it has been stated that the correct answer is D for the Question No.148 for “A” series question paper and the relevant portion is extracted hereunder:

It is stated that with regard to Q.No.148 in “A” series the Final Key Answer based on the opinion of subject experts of TRB is as follows:-

Question No.148 “A” series

(i) The earth's rotation causes day and night.

(ii) The earth's revolution causes seasons:-

A) both (i) and (ii) are wrong

B) both (i) and (ii) are correct

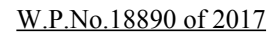
C) (i) is wrong and (ii) is correct

D) (i) is correct and (ii) is wrong

Q.No.148”A” series

Scrutiny Team Views for accepting/Rejecting of candidate's representation	The Board issued Tentative key answer on 22.05.2017, Option “B” is correct. Representation received from the candidates; subject experts examine the representation from the candidates; The subject experts decided 'D' is correct answer
Evidence	6 th Social Science, Term 2 - Part 2

4. This Court while rendering Judgment in a similar facts of case in W.P.No.34481 of 2018 has dismissed the petition vide order dated



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5. Considering the facts of the case and the Judgment rendered by this Court in a similar facts of the case, this Court is inclined to dismiss this petition. Accordingly, this writ petition is dismissed. No order as to costs. Consequently, the connected miscellaneous petition is closed.

31.10.2023

Speaking order : Yes/No

Neutral citation : Yes/No

Index : Yes/No

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To.

1. The State of Tamil Nadu
School Education Department
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Chennai - 600 009.
2. The Director of School Education
DPI Campus College Road,
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V.BHAVANI SUBBAROYAN, J.

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