

HONOURABLE SRI JUSTICE E.V.VENUGOPAL

WRIT PETITION No.2042 of 2018

ORDER:

1. This Writ Petition is filed under Article 226 of the Constitution of India, seeking the following relief:

“.....to issue a Writ, Order or direction more particularly one in the nature of Writ of mandamus, declaring the action of respondents in not action the representation made by the petitioner dated 22.01.2018 for evaluating the OMR Sheets for the Notification No.25 of 2017, dated 02.06.2017 to fillup the posts of principals (Junior College) as illegal, arbitrary and violative of principles of natural justice and consequently direct the 2nd respondent to evaluate the OMR Sheet and declare the result of the petitioner and to pass such other or orders.”

2. The material on record demonstrates that the respondents have not considered the representation made by the petitioner on 22.01.2018 for evaluating the OMR sheets for the notification No.25 of 2017, dated 02.06.2017, for filling up the post of Principals (Junior College) as illegal, arbitrary and violative of principles of natural justice. He also submits that though the petitioner has written the correct Hall ticket in the boxes for bubbling but have erroneously bubbled wrongly inspite of zero (0), one (1) has been bubbled in OMR Sheet and subsequently the error has been noticed by the petitioner after completion of preliminary examination and had approached the 1st respondent and made representation dated 22.01.2018 with a

request to consider to evaluate the bubbling again and consider her case by recorrecting the OMR sheet upon noticing the errors committed by the petitioner and therefore seeks this Court's intervention to pass appropriate orders.

3. On the other hand, Mr.Nagaraju, learned counsel representing learned standing counsel for respondent No.2 vehemently submits that the issue covered in this writ petition has been addressed in another writ petition vide W.P.No.40381 of 2022, dated 22.12.2022 and accordingly the writ petition has been dismissed and against the order passed in the said writ petition, writ appeals have been preferred by the petitioner vide W.A.Nos.1, 2 and 22 of 2023 and the said writ appeals were also dismissed by the Hon'ble Division Bench of this Court. He also submits that the subject matter is covered by the Judgments of the Hon'ble Apex Court in ***Union of India vs. Mahindra Singh***¹ and ***State of Tamil Nadu vs. G.Hemalatha***². Therefore seeks to dismiss the writ petition as the matter has been already covered and addressed by the Hon'ble Apex Court.

4. In view of the submissions made by both the learned counsels and in view of the orders passed by the Hon'ble Division Bench of this

¹ 2022 Law Suit (SC) 863

² 2019 Law Suit (SC) 1539

Court and judgments of the Hon'ble Apex Court, in the matter of ***Mahindra Singh*** (1 supra) and ***G.Hemalatha*** (2 supra), this Court is not inclined to entertain the writ petition.

5. Accordingly, the writ petition is dismissed. There shall be no order as to costs.

6. Miscellaneous petitions, if any, pending in this writ petition, shall also stand dismissed.

JUSTICE E.V.VENUGOPAL

Dated:31.01.2023
Vsl

HONOURABLE SRI JUSTICE E.V.VENUGOPAL

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Dated:31.01.2023
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