



WEB COPY



W.P.No.1017 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.08.2024

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No. 1017 of 2020

and

W.M.P.Nos. 1223 to 1226 of 2020

1. S.Sambaraj
2. K.Ambayiram
3. J.Vedavalli
4. K.Malarvizhi

.... Petitioners

Vs

1. The Secretary to Government,
Education Department,
Fort St.George,
Chennai – 9 .

2. The Chairman,
Tamil Nadu Teachers Recruitment Board,
4th Floor, E.V.K.Sampath Maaligai,
DPI Compound,
College Road,
Chennai – 6.

.... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorarified Mandamus calling for the records related to the provisional selection list – Tamil dated 02.01.2020 published by the second respondent, quash the same and issue



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consequential direction directing the respondents to publish revised provisional selection list.

For Petitioners : Mr.D.Lakshmipathy

For R1 : Mrs.S.Mythreye Chandru
Special Government Pleader

For R2 : Mr.R.Neelakandan
Additional Advocate General
Assisted by Mr.K.Sathish Kumar
Standing Counsel

ORDER

This Writ Petition has been filed challenging the provisional selection list dated 02.01.2020 published by the second respondent to the post of P.G.Assistant (Tamil).

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioners were qualified to the post of P.G.Assistant (Tamil). While being so, the second respondent issued a notification dated 12.06.2019, thereby inviting applications to fill up the post of P.G.Assistant/Physical Education Directors Grade-I. The total vacancies as per the notification is 1657, in which 245 current vacancies in Tamil.



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All the petitioners were coming under Most Backward Class and the second petitioner was coming under disability category. As per the notification, 34 posts were allotted to Most Backward Class and 4% was allotted to Disability category. The petitioners were applied and they had written the examination. In which, the first petitioner secured 84 marks, the second petitioner secured 79 marks, the third petitioner secured 74 marks and the fourth petitioner secured 94 marks. They also submitted their objections to the tentative key answers in respect of 16 questions. However, their objections were not considered and the final key answer was published. However, they were not selected and the selection list came to be published. The petitioners challenged the selection list on the ground that the second respondent failed to follow the communal roster and that they ought to have filled up the post in General Turn based on the marks secured by the candidates. But the persons, who secured higher marks in the Most Backward Class category were also selected in the Most Backward Class category. If the candidates secured higher marks, they would have been selected under the General quota and thus, the petitioners would have come under the zone of consideration.

4. The learned Additional Advocate General appearing for



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the second respondent submitted that the fourth petitioner has got selected in the post of P.G.Assistant (Tamil). Insofar as the other three petitioners are concerned, they were not coming under the zone of consideration since they secured less marks as fixed under the Most Backward quota. Though the second petitioner stated that they were under the category of Most Backward Class, there is absolutely no proof to show that all the petitioners were coming under the Most Backward Class quota. In fact, the other persons, who applied for the post of P.G.Assistant (Chemistry), approved by this Court in W.P.No.34099 of 2019 & batches, in which, this Court, by an order dated 09.01.2020, directed the second respondent to consider them for selection by revising the provisional selection list. Accordingly, the present selection list, which is impugned in this writ petition, was published by the second respondent.

5. Further the first petitioner had secured 84 marks, the second petitioner had secured 79 marks, the third petitioner had secured 74 marks. Though the petitioners raised objections in so far as 16 questions, as per the expert opinion, the objections were rejected and the



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final key answer was published. Accordingly, the answer sheets were evaluated. The minimum eligibility cut off marks as per the revised selection list for Most Backward Class for the post of P.G.Assistant (Tamil) is 93. The petitioners 1 to 3 have secured less than the prescribed marks and as such, they were not selected to the post of P.G.Assistant (Tamil).

6. In view of the above, this Court finds no infirmity or illegality in the selection list published by the second respondent. Thus the writ petition itself is devoid of merits and is liable to be dismissed. Accordingly, this writ petition stands dismissed. Consequently, connected miscellaneous petitions are closed. No costs.

06.08.2024

Internet : Yes
Index : Yes/No
Speaking/Non-speaking order
Neutral Citation : Yes/No
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G.K.ILANTHIRAIYAN, J.

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