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W.P.Nos.18003 & 19816 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.08.2024

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.Nos.18003 & 19816 of 2023 and
WMP.Nos.19139 & 19140 of 2023

WP.No.18003 of 2023

M.Srinivasan

.. Petitioner

VS

The Member Secretary,
Teachers Recruitment Board,
Chennai-600 006.

.. Respondent

Petition filed under Article 226 of the Constitution of India praying to issue a writ of Certiorarified Mandamus to call for the records relating to the impugned order of the respondent in Rc.No.8143/F3/2022 dated 23.05.2023 and quash the same and direct the respondent to award marks to the Petitioner for Question No.81 in the English Paper and Question No.104 in the Maths Paper in the TET Examination held on 03.02.2023 in the Fore Noon Session from 9 AM to 12 Noon (TET Paper - II 2022) with Roll No:22TET2110548057 and declare the Petitioner as having passed the Teacher Eligibility Test.

AND

WP.No.19816 of 2023

R.Bharathi

.. Petitioner

VS

1.The State of Tamilnadu,
Rep. by its Principal Secretary to Government,
School Education Department,
Fort St.George Chennai-600 009.

2.The Director of School Education,
DPI Campus, College Road,
Chennai - 600 006.

3.Teachers Recruitment Board,



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4th floor, DPI Campus,
College Road,
Chennai-600 006.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of Certiorarified Mandamus to call for the records of the 3rd respondent in his statement of tracker: TET-Paper 2 Tamil - Social Science - TAM published/uploaded dated Nil insofar as petitioner is concerned and to quash the same as being illegal and unsustainable in law and for a consequential direction to the respondents to grant additional 8 marks to the petitioner in respect of the TET exam held on 08.02.2023 afternoon.

For Petitioners : Mr.P.Rajendran (in WP.18003 of 2023)
: Mr.R.Ramachandran (in WP.19816 of 2023)

For Respondents : Mr.R.Neelakandan
(in WP.18003/2023) Additional Advocate General
assisted by Mr.M.Alagu Goutham
Government Advocate

For Respondents : Mr.M.Rajendiran (for R1 & R2)
(in WP.19816/2023) Additional Government Pleader
Mr.R.Neelakandan (for R3)
Additional Advocate General
assisted by Mr.C.Kathiravan
Special Government Pleader

COMMON ORDER

Both, Mr.P.Rajendran in W.P.No.18003 of 2023 & Mr.R.Ramachandran, in W.P.No.19816 of 2023, learned counsel for the petitioners and Mr.R.Neelakandan, learned Additional Advocate General, appearing for the official respondents, would agree that the issue arising in these matters has been considered in several writ petitions such as (i) *N.Devika v State of Tamil Nadu, Rep. By its Principal Secretary and others* (W.P.No.14623 of 2023 dated 02.02.2024), (ii) *A.Dhanalakshmi v Secretary, Department of School Education, Secretariat, Chennai and*



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others (W.P.No. 11303 of 2023 etc batch dated 12.03.2024) and (iii) *G.Sathya v The State of Tamil Nadu, Rep. By its Secretary to Government, School Education Department and others (in W.P.No.12665 of 2023 batch dated 15.12.2023)*, adverse to the petitioners.

2. In the order dated 02.02.2024, the discussion runs as follows:-

"2. The petitioner was qualified with B.A., B.Ed. as per the notification issued by the third respondent dated 07.03.2022 for Tamilnadu Teacher Eligibility Test, 2022 in advertisement No.1 of 2022. The petitioner had applied for and had attended written examination for paper~II for classes VI to VIII. After issuance of answer key, the petitioner had challenged the key answers insofar as question Nos.47, 54 & 55. However, the objections were not considered and published the result. She had secured 81 out of 150. If the objections raised by the petitioner were considered, she would have been awarded three marks more. Therefore, she would be qualified in the Teacher Eligibility test.

3. The second respondent filed counter and Mr.R.Neelakandan, the learned Additional Advocate General submitted that after examination, the answer key was released in the website for calling for submission of objections. Thereafter, the Board received over all 16,409 objections for 1346 questions from 3,341 candidates, out of which the objections insofar as 266 questions were accepted and objections for the remaining 1080 questions were rejected by the Expert Committee. After thorough scrutiny of the said experts, final key was arrived and on the basis of which the computer based examination for Teacher Eligibility Test Paper-II was evaluated. The revised and final answer key arrived by the experts was published along with the results on 28.03.2023 in the Board-s official website. After release of final key answer, till April 2023, the Board received around 84 objections pertaining to the said final key answers. Objections for 28 questions along with 84 questions were scrutinised by re-inviting the subject experts. After



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disputed questions were taken up for scrutiny by the expert committee and final decisions have been arrived at the Board meeting of the Teachers Recruitment Board. Accordingly, the Board published revised results on the official website of Teachers Recruitment Board on 27.07.2023. As per the Board decision, re-verification was done for all sessions, all questions including the representations and objections received from the candidates. Based on the subject experts re-verification report, change of key answers was recommended for 15 questions in eleven sessions. The objections raised by the petitioner to the question Nos.47, 54, 55 were considered and rejected.

4. Therefore, the representation submitted by the petitioner cannot be considered and this writ petition is devoid of merits and liable to be dismissed. However, the learned counsel for the petitioner submitted that the petitioner may be served with the opinion of the expert committee insofar as the objections raised by the petitioner with regards to question Nos.47, 54 and 55. Considering the same, the third respondent is directed to serve a copy of expert opinion in respect of objections for the question Nos.47, 54 and 55 to the petitioner without mentioning the name of the experts, within a period of two weeks from the date of receipt of copy of this order.

5. With the above direction, this writ petition is dismissed. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs."

3. Though learned counsel for petitioner relies upon an order of the Division Bench in the case of *P.Vijayan v State of Tamil Nadu, Rep. By its Principal Secretary to Government and others* [dated 04.06.2024 in W.A.No.3463 of 2023], learned Additional Advocate General would submit that the issue arising in the writ appeal is unconnected with the present writ petitions.

4. In the interests of consistency, the ratio of the orders passed in the matters cited in paragraph (1) supra, will apply to the present



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matters as well. These writ petitions are dismissed. No Costs. Connected miscellaneous petitions are closed.

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Index:Yes/No
Neutral Citation:Yes
ssm

To

- 1.The Member Secretary,
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Chennai-600 006.
- 2.The Principal Secretary to Government,
School Education Department,
Fort St.George Chennai-600 009.
- 3.The Director of School Education,
DPI Campus, College Road,
Chennai - 600 006.
- 4.Teachers Recruitment Board,
4th floor, DPI Campus,
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DR. ANITA SUMANTH,J.

ssm

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