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W.P.No.27647 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.07.2022

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.27647 of 2022

and

W.M.P.Nos.26920 & 26921 of 2022

G.Selvi

.... Petitioner

Vs

1. The State of Tamil Nadu,
Rep. by its Secretary,
School Education Department,
Secretariat, Chennai.

2. The Chairman,
Teachers Recruitment Board,
4th Floor, E.V.K.Sampath Maligai,
College Road, Chennai – 6.

.... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Declaration declaring the final key answer provided for the question paper in History pertaining to question Nos.12,24,36,39,46,62,69,100,102 & 108 provided by the second respondent as incorrect and consequently to direct the second respondent to award marks for the above said questions to the petitioner bearing Registraton No.TRBPG911788 and consider, the name of the petitioner for the appointment to the post of P.G.Assistant (History) under Most Backward Class category.



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For Petitioner : Mr.I.Calvin Jones
For R1 : Mr.M.Rajendran
Additional Government Pleader
For R2 : Mr.R.Neelakandan
Additional Advocate General
Assisted by Mr.C.Kathiravan
Standing Counsel

ORDER

This Writ Petition has been filed for declaration, declaring that the final key answer provided for the question Nos.12, 24, 36, 39, 46, 62, 69, 100, 102 & 108 as incorrect and directed the respondents to award marks.

2. Heard the learned counsel appearing for the petitioner, the learned Additional Government Pleader appearing for the first respondent and the learned Additional Advocate General appearing for the second respondent and perused the materials available on record.

3. The petitioner was eligible for appointment to the post of P.G.Assistant (History). When the second respondent issued notification No.1 of 2021, dated 09.09.2021, thereby invited applications for direct recruitment to the post of P.G.Assistant/Physical Education Directors



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Grade-I/Computer Instructor Grade-I in school education and other departments for the year 2020-2021, the petitioner applied for the same and he had attended the written examination. Thereafter, the second respondent published the tentative key answer. On verification, the petitioner found that for nine questions and answers tainted with flaws and not tallying with tentative key answer and as such, she raised objections. The objections raised by the petitioner were considered by the experts and found the question Nos.24 and 36 were incorrect and the petitioner was awarded marks. Insofar as other questions are concerned, the experts rejected the objections raised by the petitioner.

4. That apart, now the petitioner approached this Court, after a period of five months from the release of tentative answer and after a period of two months from the publication of final key answer. Now the second respondent produced the provisional selection list for the subject of History on 10.09.2022 itself. As rightly held by the Hon'ble Supreme Court of India and this Court, that when the experts opinion and the objections raised by the petitioner over ruled, this Court cannot go into the opinion of the experts to find any error, since this



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Court is not an expert body, by replacing the assessment made by the experts. Further, this Court cannot revive the answer as per the materials produced by the petitioner.

5. In view of the above, this writ petition is devoid of merits and is liable to be dismissed. Accordingly, this writ petition stands dismissed. Consequently, connected miscellaneous petitions are closed. No costs.

08.07.2022

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
Neutral Citation : Yes/No
Lpp

To

1. The Secretary,
School Education Department,
Secretariat, Chennai.

2. The Chairman,
Teachers Recruitment Board,
4th Floor, E.V.K.Sampath Maligai,
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G.K.ILANTHIRAIYAN. J,

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