



W.P.No.30918 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2024

CORAM:

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

W.P.No.30918 of 2022
and W.M.P.No.30319 of 2022

K.Muthulakshmi

... Petitioner

-Vs-

1. Teachers Recruitment Board,
represented by its Member Secretary,
3rd Floor, Puratchi Thalivar
Dr.MGR Centenary Building,
DPI Campus, College Road,
Chennai – 600 006.

2. The Expert Committee,
C/o. Teachers Recruitment Board,
3rd Floor, Puratchi Thalivar
Dr.MGR Centenary Building,
DPI Campus, College Road,
Chennai – 600 006.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the first Respondent to refer the objections raised by the petitioner by letter dated 21.10.2022 to the key answers for the question Nos. 12, 69, 89, 102 and 108 and to the deletion of Question Nos.36 and 42 in the subject History published by the first Respondent pursuant to Notification No. 01 / 2021



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dated 09.09.2021 to the Expert Committee constituted to consider the objections of the petitioner for key answers by giving an opportunity to the petitioner to appear before the Expert Committee and raise her objections along with documentary proof and consequently direct the first Respondent to re-evaluate the marks obtained by the petitioner in the examination conducted by the first Respondent pursuant to Notification No.01/2021, dated 09.09.2021 based on the report of the expert committee and direct the second respondent to issue appointment order to the petitioner as PG Assistant in the subject History based on the re-evaluated the marks secured by the petitioner in the written examination conducted by the first respondent pursuant to Notification No.01/2021 dated 09.09.2021.

For Petitioner : M/s.Nalini Chidambaram
for M/s C.Uma

For Respondents : Mr.R.Neelakandan
Additional Advocate General
assisted by
Mr.C.Kathiravan
Standing Counsel

ORDER

This writ petition has been filed for direction directing the first Respondent to refer the objections raised by the petitioner by letter dated 21.10.2022 to the key answers for the question Nos. 12, 69, 89, 102 and 108 and to the deletion of Question Nos.36 and 42 in the subject History



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published by the first Respondent pursuant to Notification No. 01 / 2021 dated 09.09.2021 to the Expert Committee constituted to consider the objections of the petitioner for key answers by giving an opportunity to the petitioner to appear before the Expert Committee and raise her objections along with documentary proof and consequently direct the first Respondent to re-evaluate the marks obtained by the petitioner in the examination conducted by the first Respondent pursuant to Notification No.01/2021, dated 09.09.2021 based on the report of the expert committee and direct the second respondent to issue appointment order to the petitioner as PG Assistant in the subject History based on the re-evaluated the marks secured by the petitioner in the written examination conducted by the first respondent pursuant to Notification No.01/2021 dated 09.09.2021.

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



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3. The petitioner is qualified with B.A History and M.A History with B.Ed. The first respondent issued notification dated 09.09.2021, thereby inviting applications from eligible candidates for direct recruitment to the post of PG Assistant in the year 2021. In respect of subject History, 115 vacancies were notified by the first respondent. The petitioner applied for the said post and attended the written examination. After publishing the key answers, the petitioner raised objection insofar as the question nos. 12, 69, 89, 102 and 108. However, the said objection was not considered by the first respondent and the result was published. The petitioner had secured 97 marks. Thereafter, the petitioner was called for certificate verification and the petitioner attended the certificate verification. Insofar as the question nos.36 and 42 along with four other questions are concerned, they were deleted and total number of marks was reduced from 150 to 144.

4. In a similar matter challenging the answer key of question no.102 is concerned, this Court held that the key answer set by the first respondent is wrong. Therefore, the petitioner has to be awarded mark for



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question no.102. Insofar as other questions are concerned, the objection was rejected and it cannot be considered here, since this Court is not an expert in the academic matter. The scope of the judicial review against the experts' opinion is extremely limited and unless it is shown that the mistake is glaring mistake which is totally apparent, the view of the examining body cannot be interfered with. Therefore, the petitioner is entitled for mark for question no.102.

5. The learned Additional Advocate General appearing for the respondents submitted that already the entire selection process has been completed and the petitioner was not granted any interim order to keep one post vacant. Now, no vacancy is available. He further submitted that the objections were not raised by the petitioner through online as per the notification from 10.05.2022 to 15.06.2022. The petitioner had raised objections only through representation dated 21.10.2022 which is belated one.



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6. In view of the above submission, the first respondent is directed to award one mark to the petitioner for question no.102 alone. If the petitioner is coming under the zone of consideration for selection to the post of PG Assistant in the subject of History, after awarding one mark added to her original mark viz., 97, if any vacancy is available, the first respondent is directed to consider the case of the petitioner for selection to the post of PG Assistant.

7. With the above directions, this writ petition is disposed of. Consequently, connected Miscellaneous petition is closed. There shall be no order as to costs.

19.03.2024

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

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G.K.ILANTHIRAIYAN. J.

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