



Rev.Apl.W(MD)No.22 of 2024  
in  
W.P.(MD)No.7276 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.02.2024

CORAM:

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

Rev.Apl.W(MD)No.22 of 2024  
in  
W.P.(MD)No.7276 of 2023  
and  
W.M.P.(MD)Nos.3456 & 1723 of 2024

B.Soundararajan

... Petitioner

Vs.

1.The Member of Secretary,  
Teacher Recruitment Board,  
EVK Sampath Building,  
Chennai-600 006.

2.The Expert Committee,  
Teacher Recruitment Board,  
EVK Sampath Building,  
Chennai-600 006.

... Respondents

**PRAYER:** Petition filed under Order 47 Rule 1 & 2 r/w Section 114 of C.P.C., praying to review the order passed in W.P.(MD)No.7276 of 2023, dated 31.03.2023 calling for the records relating to the first respondent Notification 01/2006-2007 and examination Roll No.H1008201 and the petitioner's OMR Sheet No.410890 for the permanent post of post graduation Teacher in Economic 2006.



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For Petitioner : Mr.B.Soundararajan

For Respondents : Mr.V.R.Shanmuganathan

### **ORDER**

Heard both sides.

2. The petitioner filed W.P.(MD)No.7276 of 2023 seeking the following relief:-

“Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to award marks to the petitioner in respect of Question Paper A series exam held on 17.09.2006 to the first respondent notification 01/2006-2007 for post graduation Teacher in Economics 2006 and forbearing examination held on Feb 2022.”

The said writ petition was dismissed in the following terms:-

Heard the petitioner in person and the learned standing counsel for the respondent board.

2.The petitioner is unable to come to terms with the fact that he was not properly dealt with in the examination held in the year 2006. The petitioner was an aspirant for the post of Post Graduate Teacher in Economics. He however was not successful. The petitioner is of the view that the marks were not correctly awarded. The petitioner's grievance might as well be justified. But on account of sheer efflux of time, I am not in a position to grant relief to the petitioner. The



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petitioner had earlier filed W.P.(MD)No.22562 of 2022. Vide order dated 26.09.2022, it was dismissed in the following terms:-

“3. It is not in dispute that the teaching posts in Corporation Schools are filled up through the selection process conducted by Teacher Recruitment Board. Therefore, the petitioner cannot expect the Corporation to regularise his service. The petitioner took part in the recruitment process on as many as three occasions but for reasons that are not quite clear, the petitioner was not successful. Now age bar has also set in. I am not in a position to grant relief.

4. The fourth respondent had rightly taken the stand that the Corporation is not in a position to consider the petitioner's request. The impugned order does not call for interference. It is sustained. This writ petition is dismissed. Consequently, connected miscellaneous petition is closed. No costs.”

3.I am not in a position to take a different view. The petitioner is now aged 57 years. The Government had introduced upper age limit as 45. No purpose will be served in considering the petitioner's contentions. The writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Seeking review of the said order dismissing the writ petition, the petitioner has filed the present review application.

3. The petitioner appeared in person and reiterated all the contentions set out in the memorandum of grounds. I am not persuaded to accept the case of the petitioner. This is primarily for the reason that the Court cannot grant relief in respect of the cause of action that arose some 17 years ago. One of the grounds on which I non-suited the



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petitioner was that age bar has set in. The petitioner points out that now, the age bar has been lifted. The petitioner can take advantage of the same and participate in the recruitment process that may be held in the near future. This may be subject to the norms laid down by TRB. This lifting of age bar cannot come to the rescue of the petitioner in respect of the cause of action that underlay W.P.(MD)No.7276 of 2023. I am not in a position to review my order as I do not find any error apparent on the face of the record.

4. The Review Application is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

**19.02.2024**

Index : Yes/No  
Internet : Yes/No  
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**G.R.SWAMINATHAN, J.**

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