



W.A.(MD)No.2052 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

and

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.A.(MD)No.2052 of 2024

and

C.M.P.(MD)Nos.14688 & 14690 of 2024

P.Mathubala

: Appellant

Vs.

1.The State of Tamil Nadu,

Represented by its,

Principal Secretary to Government,

School Education Department,

Fort St. George,

Secretariat,

Chennai – 600 009.

2.Teachers Recruitment Board,

Rep. by its Chairman,

DPI Campus, College Road,

Chennai.

3.The National Council for Teacher Education (NCTE),

Rep by its,

Member Secretary,

New Delhi.

: Respondents



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PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, praying to set aside the order dated 15.07.2024 passed in W.P.(MD)No.11713 of 2024 and allow this Writ Appeal.

For Appellant : Mr.V.Meenakshi Sundaram
For Respondent No.1 : Dr.S.P.Maharajan
Special Government Pleader
For Respondent No.2 : Mr.V.R.Shanmuganathan
Standing Counsel
For Respondent No.3 : No appearance

JUDGMENT

[Judgment of the Court was delivered by **R.SUBRAMANIAN, J.**]

Challenge is to the order of the learned Single Judge made in W.P.(MD)No.11713 of 2024 dated 15.07.2024.

2.We do not think we can interfere with the order of the learned Single Judge. The selection process is over. Because there were certain mistakes in the suggested answers in the multiple choice question paper, certain questions were declared as star questions, whereby every candidate who had attempted to answer the question was given a mark irrespective of the correctness of the answer. This has been done across the Board to all the candidates. Therefore, the petitioner will also be a beneficiary of such star questions.



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3.The similar claim was rejected by the Principal Bench and the learned Single Judge has followed the said order. We do not think we could test the correctness of the decisions of the Teachers Recruitment Board to award marks for all the persons who have attempted these questions and the rationale behind such decision. No doubt, Mr.Meenakshi Sundaram, learned Counsel for the appellant would submit that as far as the question Nos.42, 113, 126 and 179 are concerned, the mistake in the answer is a spelling mistake and everybody knows the correct answer. Therefore, the decision of the Teachers Recruitment Board to mark these questions as star questions and award mark to every person who had attempted these questions is not justified.

4.We are afraid that we cannot decide upon the said contention in a proceeding under Article 226 of the Constitution of India. It is for the Teachers Recruitment Board to do so. It has the essential wisdom to decide on the treatment of the questions and the marks to be given. This Court cannot substitute its own ideas. In the light of the above, we see no reason to interfere with the order of the learned Single Judge. Hence, the appeal fails



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5.Accordingly, the Writ Appeal stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

[R.S.M.,J.] & [L.V.G.,J.]

23.10.2024

Neutral Citation : Yes/No

Index: Yes/No

Internet : Yes/No

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To

1.The Principal Secretary to Government,
State of Tamil Nadu,
School Education Department,
Fort St. George,
Secretariat,
Chennai – 600 009.

2.The Chairman,
Teachers Recruitment Board,
DPI Campus, College Road,
Chennai.

3.The Member Secretary,
The National Council for Teacher Education (NCTE),
New Delhi.



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R.SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.

MR

JUDGMENT MADE IN
W.A.(MD)No.2052 of 2024

23.10.2024