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W.P.No.24221 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on	10.07.2025
Pronounced on	14.07.2025

CORAM

THE HONOURABLE Mr.JUSTICE **C.KUMARAPPAN**

W.P.No.24221 of 2025

and

W.M.P.Nos.27269, 27270 and 27271 of 2025

R.Vennila

... Petitioner

Vs.

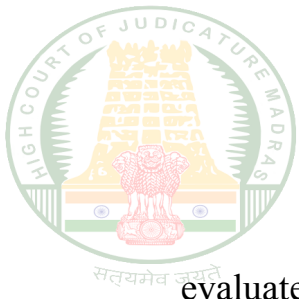
1. The State of Tamilnadu,
Rep. by its Principal Secretary to Government,
School Education Department,
Fort St.George, Chennai – 600 009.

2. The Director of Elementary Education,
DPI Campus, College Road,
Chennai – 600 006.

3. Teachers Recruitment Board,
Rep. by its Chairman,
4th Floor, DPI Campus,
College Road, Chennai – 600 006.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Mandamus, directing the respondents to re-



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evaluate the petitioner's answer booklet (OMR sheet-Part B) in candidate Roll No.113011099, Application No.SGT010439 and award two marks to the petitioner for the examination held on 21.07.2024, for the post of Secondary Grade Teacher pursuant to the recruitment notification No.01/2024 dated 09.02.2024 and appoint the petitioner as Secondary Grade Teacher under PSTM category.

For Petitioner	: Mrs.N.Kavitha Rameshwar
For Respondents	: Mr.S.Prabhakaran, Government Advocate (for R1 & R2) Mr.C.Kathiravan, Standing Counsel (for R3)

ORDER

The instant writ petition has been filed with a prayer for issuing a mandamus to direct the respondents to re-evaluate the petitioner's answer booklet (OMR sheet - Part B) in candidate Roll No. 113011099, Application No. SGT010439, and award two marks to the petitioner for the examination held on July 21, 2024, for the post of Secondary Grade Teacher, pursuant to the recruitment notification No. 01/2024, dated February 9, 2024, and appoint the petitioner as Secondary Grade Teacher under the PSTM category.

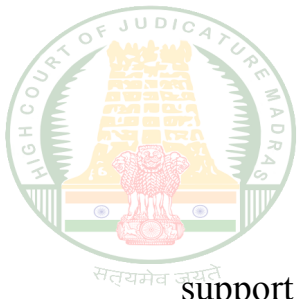


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2. The learned counsel for the petitioner submitted that she had applied for the post of Secondary Grade Teacher pursuant to Notification No. 01/2024, dated 09.02.2024, and participated in the written examination on 21.07.2024. According to the learned counsel, she had submitted objections to the tentative answer key, more preciously for eight questions. After considering the same, the third respondent granted two mark to the petitioner. It is the grievance of the petitioner that for some other questions, though the petitioner correctly answered, the third respondent failed to give marks. Eventually, the petitioner scored 95 marks could not find a place in the provisional selection list.

2.1. It is the specific contention of the learned counsel for the petitioner that the evaluation process is defective, as the petitioner had correctly answered 97 questions; however, the third respondent awarded only 95 marks in the written examination. Hence, the petitioner sent a representation for re-evaluation, but without considering the petitioner's representation, the third respondent published the result. The learned counsel would contend that there is an exceptional case for re-evaluation and in



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support of her contention, the learned counsel relied on the following judgment of this Court in ***S. Sagundala Devi Vs. The Teachers Recruitment Board and Ors.***, reported in ***MANU/TN/1493/2010***, and the judgment of the Hon'ble Supreme Court of India in ***Mradul Mishra Vs. Chairman, U.P. Public Service Commission (Civil Appeal No. 6723 of 2018, dated July 16, 2018)***. Hence, prayed to allow this Writ Petition.

3. Per contra, the learned Standing Counsel appearing for the third respondent would vehemently contend that the question of re-evaluation does not arise as the rules do not provide the same. The petitioner's objections regarding the questions were received and thoroughly scrutinized by the experts, and after thorough scrutiny, a final answer key was prepared and published in the website on 12.04.2025.

3.1. It is the further submission of the learned Standing Counsel that the the evaluation was done with great care and accuracy and the petitioner cannot have any grievance over such evaluation, which was done in OMR method. Even the Senior Programmer of TRB has given a report and on verification of the report, they found that there is no variation of marks



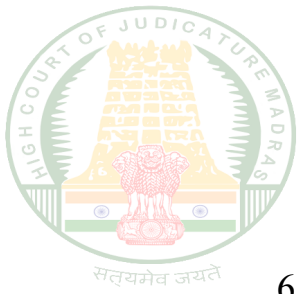
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awarded to the petitioner and would further contend that in view of the authoritative pronouncement by the Hon'ble Supreme Court of India in ***Ran Vijay Singh and other Vs. State of Uttar Pradesh*** reported in (2018) 2 SCC, question of re-evaluation does not arise as the exam Regulations do not contain any clauses for the re-valuation. Hence, he prayed to dismiss the instant Writ Petition.

4. I have given my anxious consideration to the submissions made on either side.

5. Though various contentions were raised regarding the correctness of questions and their answers, the main thrust of the prayer is for re-evaluation of the petitioner's answer sheet. Therefore, the primordial duty cast upon this Court is to find out whether re-evaluation could be ordered as prayed for. Though the learned counsel for the petitioner relied on the judgment in ***S. Sagundala Devi's case***, cited supra, and ***Mradul Mishra's case***, cited supra, they had fairly admitted that the recruitment notification did not provide any scope for re-evaluation of the answer sheet.



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6. At this juncture, this Court deems it appropriate to refer to the judgment of the Hon'ble Supreme Court of India, relied on by the learned Standing Counsel in ***Ran Vijay Singh's case***, cited supra. The Hon'ble Supreme Court, after elaborately considering various aspects, has ultimately held as follows in paragraph 30:-

“30. The law on the subject is therefore, quite clear and we only propose to highlight a few significant conclusions. They are:

30.1. If a statute, Rule or Regulation governing an examination permits the re-evaluation of an answer sheet or scrutiny of an answer sheet as a matter of right, then the authority conducting the examination may permit it:

30.2. If a statute, Rule or Regulation governing an examination does not permit re-evaluation or scrutiny of an answer sheet (as distinct from prohibiting it) then the Court may permit re-evaluation or scrutiny only if it is demonstrated very clearly, without any “inferential process of reasoning or by a process of rationalisation” and only in rare or exceptional cases that a material error has been committed;

30.3. The Court should not at all re-evaluate or scrutinise the answer sheets of a candidate-it has no expertise in the matter and academic matters are best left to academics;



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30.4 The Court should presume the correctness of the key answers and proceed on that assumption; and

30.5. In the event of a doubt, the benefit should go to the examination authority rather than to the candidate.”

(emphasis supplied)

According to the above ratio, re-evaluation may be ordered only in rare and exceptional cases, that too when there is a direct and precise proof warranting re-evaluation, otherwise, the Court should not permit re-evaluation.

7. In the case in hand, the reason for claiming re-evaluation is that the third respondent did not consider the petitioner's objections with regard to answer key. However, the learned Standing Counsel for the third respondent has categorically stated that the petitioner's objections regarding the answers were considered by the Expert Committee, and they have finalized the key answers. Therefore, when the experts have concluded the final answers, unless such a procedure is tainted with any malafide, this Court should not interfere under the power of judicial review. As mandated in the judgment of ***Ran Vijay Singh's case***, cited supra in the instant case, there are no rare or exceptional circumstances for re-evaluation. Hence, this Court does not find any merit in the instant writ petition.



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8. In the result, this Writ Petition is dismissed. Consequently, the connected Miscellaneous Petitions are closed. No costs.

14.07.2025

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Index : Yes/No

Speaking order

Neutral Citation : Yes/No

To

1. The Principal Secretary to Government,
The State of Tamilnadu,
School Education Department,
Fort St.George, Chennai – 600 009.
2. The Director of Elementary Education,
DPI Campus, College Road,
Chennai – 600 006.
3. The Chairman,
Teachers Recruitment Board,
4th Floor, DPI Campus,
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C.KUMARAPPAN, J.

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