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W.P. No. 47839 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2025

CORAM

THE HON'BLE Mr. JUSTICE M.DHANDAPANI

W.P. No. 47839 of 2025

and

W.M.P. No. 53424 of 2025

S.Pachaiyappan

...Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
School Education Department,
Secretariat, Fort St. George, Chennai – 600 009.
2. The Director of School Education,
DPI Campus, College Road, Chennai – 600 006.
3. The Secretary,
Teachers Recruitment Board,
4th Floor, EVK Sampath Maligai,
DPI Campus, College Road,
Chennai – 600 006.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the Respondents to award marks to the Petitioner (25PG0729230074) for Question Nos. 52, 140, 155 and 160 in Question Booklet Series 'M'; ZX-25, Subject Code: ZZX7 Zoology Subject, based on the proof produced from approved and standard text books (4 Marks in total) and consequently consider the petitioner for selection and appointment to the post of P.G. Assistant (Zoology) under M.B.C/DNC Category, as per Advertisement/Notification No.02/2025 dated 10.07.2025.



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For Petitioner : Mr.J.Jayamalan

For Respondents : Ms.Mythreye Chandru,
Special Government Pleader (for R1&R2)

Mr.R.Neelakandan,
Additional Advocate General
Assisted by Mr.C.Kathiravan (for R3)

ORDER

The Writ Petition is filed for issuance of a Writ of Mandamus, directing the Respondents to award marks to the Petitioner (25PG0729230074) for Question Nos. 52, 140, 155 and 160 in Question Booklet Series 'M'; ZX-25, Subject Code: ZZX7 Zoology Subject, based on the proof produced from approved and standard text books (4 Marks in total) and consequently consider the petitioner for selection and appointment to the post of P.G. Assistant (Zoology) under M.B.C/DNC Category, as per Advertisement/Notification No.02/2025 dated 10.07.2025.

2.Heard the learned Counsel appearing for the petitioner and the learned Special Government Pleader appearing for the first and second respondents and the learned Additional Advocate General appearing for the third respondent.

3.The case of the petitioner is that he belongs to Most Backward Class (MBC) and he has completed M.Sc., (Zoology) and B.Ed. Pursuant to the



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notification issued by the 3rd respondent to the post of Post Graduate Assistant in Tamil Nadu Higher Secondary Educational Service for the year 2025, the petitioner has applied for the post of PG Assistant (Zoology) and appeared for written examination conducted on 12.10.2025. The petitioner was not satisfied with the tentative key answers in respect of Question Nos. 52, 140, 155 and 150 and in the notification itself, the 3rd respondent has stated that any objections with regard to the Tentative answer key shall be raised through Online mode within the prescribed time. Accordingly, the petitioner raised objections with supporting documents through online mode. However, without considering his objections, the 3rd respondent published the list of candidates called for Certificate Verification, wherein the petitioner's name was not mentioned. If the petitioner was awarded marks for the above said questions, he would have come within the zone of consideration and non awarding of marks, deprives his right to be considered for appointment to the post of PG Assistant. Thereby, the petitioner has filed this Writ Petition to direct the 3rd respondent to to award marks to the Petitioner for the above said questions and and consequently consider the petitioner for selection and appointment to the post of P.G. Assistant (Zoology) under M.B.C/DNC Category and consequently consider the petitioner for selection and appointment to the post of P.G. Assistant (Zoology) under M.B.C/DNC Category.



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4.The learned counsel appearing for the petitioner submitted that it is settled law that if the key answer published by the 3rd respondent is palpably wrong, this Court could exercise the power of judicial review under Article 226 of the Constitution of India to appoint an Expert Committee and after obtaining opinion from the expert, this Court may show that the tentative key answers published by the 3rd respondent in respect of certain questions are wrong and can award mark to the such questions to enable the petitioners to be selected to the above post. He further submitted that there are catena of decisions holding that in the event of any discrepancy in the key answer which is demonstrably wrong, the candidates who have given correct key answers to be granted with marks for the same.

5.Per contra, the learned counsel appearing for the 3rd respondent submitted that the notification itself provided for making objections with regard to the Tentative answer published by the 3rd respondent, through Online mode within the prescribed time. After receipt of the objections of the petitioner, the 3rd respondent has appointed Experts to evaluate the key answer given by the 3rd respondent as well as the answers attended by the petitioner. However, the experts opined that the key answer published by the 3rd respondent is correct.



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6. On a perusal of the expert opinion, this Court is satisfied that the experts have opined that the answer key published by the 3rd respondent is perfectly in order.

7. The very same issue came up for consideration before the Hon'ble Apex Court in the case of ***Vikesh Kumar Gupta and others vs. The State of Rajasthan and others*** in ***Civil Appeal Nos. 3649 and 3650 of 2020***, wherein it has been categorically held that *“it is not permissible for the High Court to examine the question papers and answer sheets itself, particularly when the Commission has assessed the inter se merit of the candidates. The Courts have to show deference and consideration to the recommendation of the Expert Committee who have the expertise to evaluate and make recommendations.”*

8. For better appreciation, Paragraph No. 11 of the judgment (supra) reads as follows:

“11. Though re-evaluation can be directed if rules permit, this Court has deprecated the practice of re-evaluation and scrutiny of the questions by the courts which lack expertise in academic matters. It is not permissible for the High Court to examine the question papers and answer sheets itself, particularly when the Commission has assessed the inter se merit of the candidates (Himachal Pradesh Public Service Commission v. Mukesh Thakur & Anr. MANU/SC/00401/2010 : (2010) 6 SCC 759)



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Courts have to show deference and consideration to the recommendation of the Expert Committee who have the expertise to evaluate and make recommendations [See- Basavaiah (Dr.) v. Dr. H.L. Ramesh & Ors. MANU/SC/0530/2010 : (2010) 8 SCC 372). Examining the scope of judicial review with regards to re-evaluation of answer sheets, this Court in Ran Vijay Singh & Ors. v. State of Uttar Pradesh & Ors. MANU/SC/1578/2017 : (2018) 2 SCC 357 held that court should not re-evaluate or scrutinize the answer sheets of a candidate as it has no expertise in the matters and the academic matters are best left to academics. This Court in the said judgment further held as follows:

“31. On our part we may add that sympathy or compassion does not play any role in the matter of directing or not directing re-evaluation of an answer sheet. If an error is committed by the examination authority, the complete body of candidates suffers. The entire examination process does not deserve to be derailed only because some candidates are disappointed or dissatisfied or perceive some injustice having been caused to them by an erroneous question or an erroneous answer. All candidates suffer equally, though some might suffer more but that cannot be helped since mathematical precision is not always possible. This Court has shown one way out of an impasse - exclude the suspect or offending question.

32. It is rather unfortunate that despite several decisions of this Court, some of which have been discussed above, there is interference by the courts in the result of examinations. This places the examination authorities in an unenviable



position where they are under scrutiny and not the candidates. Additionally, a massive and sometimes prolonged examination exercise concludes with an air of uncertainty. While there is no doubt that candidates put in a tremendous effort in preparing for an examination, it must not be forgotten that even the examination authorities put in equally great efforts to successfully conduct an examination. The enormity of the task might reveal some lapse at a later stage, but the court must consider the internal checks and balances put in place by the examination authorities before interfering with the efforts put in by the candidates who have successfully participated in the examination and the examination authorities. The present appeals are a classic example of the consequence of such interference where there is no finality to the result of the examinations even after a lapse of eight years. Apart from the examination authorities even the candidates are left wondering about the certainty or otherwise of the result of the examination - whether they have passed or not; whether their result will be approved or disapproved by the court; whether they will get admission in a college or university or not; and whether they will get recruited or not. This unsatisfactory situation does not work to anybody's advantage and such a state of uncertainty results in confusion being worse confounded. The overall and larger impact of all this is that public interest suffers."



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9. In the present case, expert had already opined that the answer key published by the 3rd respondent is correct. Therefore, this Court cannot substitute the reasons for deferring the answers arrived at by experts. Hence, the prayer sought for in the present Writ Petition cannot be granted.

10. Accordingly, this Writ Petition is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

16.12.2025

Index: Yes/No
Internet: Yes/No
Speaking or Non-speaking order
Maya

To

1. The Principal Secretary to Government of Tamil Nadu,
School Education Department,
Secretariat, Fort St. George, Chennai – 600 009.
2. The Director of School Education,
DPI Campus, College Road, Chennai – 600 006.
3. The Secretary,
Teachers Recruitment Board,
4th Floor, EVK Sampath Maligai,
DPI Campus, College Road,
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M.DHANDAPANI, J.

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