



W.A.(MD).No.1300 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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RESERVED ON: 06.08.2025

PRONOUNCED ON : 12.08.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

W.A.(MD).No.1300 of 2025

and

C.M.P.(MD).Nos.7869 and 11991 of 2025

1.Teachers Recruitment Board,
Represented by its Chairman,
3rd Floor, Puratchi Thalaivar
Dr MGR Centenary Building,
DPI Campus, College Road,
Chennai - 600 006.

2.Teachers Recruitment Board,
Represented by its Member Secretary,
3rd Floor, Puratchi Thalaivar
Dr MGR Centenary Building,
DPI Campus, College Road,
Chennai - 600 006.

... Appellants/Respondents 1 & 2

Vs.

1.I.Sharmila Banu

... 1st Respondent/Writ Petitioner

2.The Director of School Education
DPI Campus,
Chennai – 6.

... 2nd Respondent/3rd Respondent



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PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, to allow this Writ Appeal and set aside the order dated 23.07.2024 made in W.P.(MD).No. 13569 of 2024 on the file of this Court.

For Appellants : Mr.T.Amjad Khan
Government Advocate
For R-1 : Mr.T.Aswin Rajasimmar
For R-2 : Mr.C.Venkatesh Kumar
Special Government Pleader

JUDGMENT

(Judgment of the Court was made by K.RAJASEKAR, J.)

The appellants/Teachers Recruitment Board have filed this intra-Court appeal challenging the order of the learned Single Judge in W.P.(MD). No.13569 of 2024 dated 23.07.2024, wherein, a direction was given to evaluate the writ petitioner's answer paper/OMR sheet relating to written examination for the post of Block Resource Teacher Educators (BRTE).

2. The case of the writ petitioner is that based on the notification dated 25.03.2023, she applied for the post of Block Resource Teacher Educator (BRTE). Subsequently, she participated in the written examination and she had written her roll number wrongly in her answer sheet. This has resulted in



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non-validation of her answer sheet. Hence, she had come up with a Writ Petition to quash the publication of examination results and consequently, to evaluate her answer sheet. The Writ Petition was disposed of by the Writ Court. Aggrieved over the same, the Teachers Recruitment Board has come up with this appeal.

3. The learned Government Advocate for the appellants submits that the error committed by the writ petitioner is not trivial in nature and recording of the proper roll number in the answer sheet is not a simple formality. It is a serious error. The writ petitioner had not only written the roll number wrongly, she had also shaded the roll number in the OMR sheet wrongly. He further submitted that in Serial Nos.4 and 7 of instructions in the OMR sheet, clear instructions were given to the candidates to fill it properly and it is stated that any wrong entries/incomplete entries will invalidate the sheet and the OMR answer sheet will not be evaluated. Thereby, the writ petitioner was having full knowledge of the consequences of the wrong entry or wrong shading in the OMR sheet. He further submitted that apart from the writ petitioner, some more candidates have also committed a similar mistake and the answer sheets of those persons were not evaluated on the remark “roll number error”.



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4. The learned Government Advocate relied on the judgment of the Division Bench of this Court in the case of ***B.Ajith Kumar Vs. The Registrar General, High Court of Madras and another*** passed in ***W.P.Nos.30309, 30398, 30504 and 31034 of 2023 dated 31.10.2023*** and submitted that this Court has held that wrong shading of the question booklet number in the OMR sheet is to be considered as ineligible for evaluation.

5. Per contra, the learned counsel for the writ petitioner submits that the error committed by the writ petitioner is trivial in nature and instead of writing her roll number as '907020362', she had written it as '907020363', thereby, it is a trivial error and the same shall not be the ground for invalidating the OMR answer sheet. He further submitted the non-filling or non-shading of the OMR sheet is not fatal, if the candidate is otherwise eligible. In support of his submissions, the learned counsel relied on the judgment of the Hon'ble Apex Court in ***Vashist Narayan Kumar Vs. The State of Bihar and others*** reported in ***2024 LiveLaw (SC) 1***.

6. We have considered the submissions made on both sides and perused the materials available on record.



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7. The Writ Court has disposed of the Writ Petition on the ground that the writ petitioner has written her roll number as '907020363' instead of '907020362' and the same is a trivial error. After writing the roll number, the writ petitioner had affixed her signature in the OMR sheet, which was also checked by the Invigilator and the Invigilator had failed to notice the wrong entry of roll number. Since it has been found to be trivial in nature, the Writ Petition has been disposed of.

8. The Hon'ble Apex Court recently in ***Vashist Narayan Kumar Vs. The State of Bihar and others*** (cited supra), has considered the case of a candidate, who, while uploading the online application, has given the date of birth wrongly and the Apex Court, after considering various previous judgments, held as follows:

“18. The learned counsel for the State drew attention to the verification by the appellant, of the details in a printed form furnished by the selection board. He contended that the appellant signed the form which carried the date of birth. First of all, the form was a printed form which reflected the date of birth as given by the appellant and the appellant signed the printed form on 10.03.2018. We are inclined to accept the explanation of the appellant that since the appellant was unaware of his own mistake

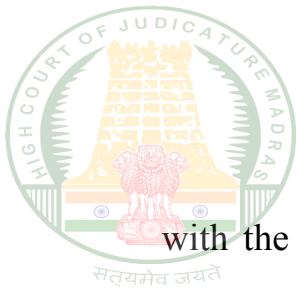


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he had mechanically signed the printed form. It is only later, on 11.06.2018, on the publication of the result that the appellant realized the error. We do not think that the appellant could be penalised for this insignificant error which made no difference to the ultimate result. Errors of this kind, as noticed in the present case, which are inadvertent do not constitute misrepresentation or wilful suppression.

19. In this case, the appellant has participated in the selection process and cleared all the stages successfully. The error in the application is trivial which did not play any part in the selection process. The State was not justified in making a mountain out of this molehill. Perhaps the rarefied atmosphere of the cybercafe, got the better of the appellant. He omitted to notice the error and even failed to avail the corrective mechanism offered. In the instant case, we cannot turn a Nelson's eye to the ground realities that existed. In the order dated 22.11.2021 in C.A.No. 6983 of 2021 [Prince Jaibir Singh vs. Union of India & Ors.], this Court rightly observed that though technology is a great enabler, there is at the same time, a digital divide."

9. In this case, admittedly, the writ petitioner herein has wrongly recorded her roll number in the OMR answer sheet. Apart from that, she had also wrongly shaded the same in the bubble. In the instructions to the candidates given in the OMR answer sheet, there are specific clauses dealing



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with the improper writing of roll number as well as shading the bubble. The

above instructions reads as follows:

“4. The column for Question Booklet serial Number, Question Booklet Series and Roll Number the candidate should write and also shade the bubble. Failing to do so, or making wrong entries / incomplete entries in the OMR sheet will invalidate the sheet and the OMR answer sheet will not be evaluated.

...

7. In case of any discrepancy in following the instructions, Candidate's OMR Answer Sheet will be rendered invalid and will not be evaluated.”

10. Apart from that, in the question booklet also, there are instructions given to the candidates to fill the OMR sheets carefully and also the consequences of wrong shading of bubble, which reads as follows:

“3.OMR Answer sheets will not be evaluated if the OMR Answer Sheet is filled in wrongly/unfilled.

...

15. OMR Answer Sheet is designed for computer evaluation. If you do not follow instructions given above and shown in the OMR Answer Sheet, evaluation by computer will become difficult. Any resultant loss to the candidate on the above account, shall be of the candidate only.”



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11. The Division Bench of this Court, in ***B.Ajith Kumar Vs. The Registrar General, High Court of Madras, Chennai and another*** in ***W.P.Nos. 30309, 30398, 30504 and 31034 of 2023 dated 31.10.2023***, in which one of us (KRSJ) was a party, has considered the similar issue of shading the bubble in the OMR sheet for the written examinations conducted for selection to the post of Civil Judge in the Tamil Nadu State Judicial Service, which was also containing similar instructions to the candidates, who wrote the examination. The Division Bench has observed as follows:

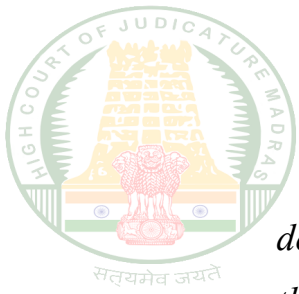
“13. According to Mr. Saravana Kumar, learned counsel for Jaikumar, the condition qua multiple shading has not been stated in the hall ticket, but, only in the OMR answer sheet. Even accepting for the sake of argument that the condition qua multiple shading is not stated in the hall ticket, it has got to be presumed that there is incorrect shading, which falls within the ambit of Instruction 6, supra. The learned counsel, in support of his contention that wrong shading cannot result in rejecting the candidature of the petitioner, relied on the judgment rendered by one of us (SVNJ) in T.Vellisubbaian v The Director, Department of School Education and another (W.P. (MD) No.2406 of 2015 decided on 14.06.2015), wherein, it was held that non-filling or non-shading is not fatal, if the candidate is otherwise eligible. Be it noted, in the said case, perhaps, there were no instructions



stipulated as in the present case, which have been extracted in paragraph 11, supra. In other words, probably, in that case, if the bubble for the Question Booklet Number had been left blank, there was no requirement to reject the applicant's candidature. But, in the cases on hand, Instruction 6, extracted supra, stipulates, in no uncertain terms, the instances in which an applicant's OMR answer sheet will be considered as invalidated. Hence, the judgment relied on by Mr. Saravana Kumar is distinguishable on facts and as such, cannot be of any avail to the petitioner.

14. That apart, the OMR answer sheet is printed and handed over to the candidate concerned. The original OMR answer sheet pertaining to Ajith Kumar, Boopathy Raja and Jaikumar were produced before this Court. From a perusal of the same, it is discernible that it contains columns such as serial number, name and register number of the candidate, subject, centre, venue, date and session along with space for pasting photograph. So, the question of handing over another OMR sheet is not possible even assuming for the sake of argument that the request of the candidate to the invigilator to hand over a new answer sheet is to be accepted.

15. Mr. B. Vijay, learned Standing Counsel for the High Court drew the attention of this Court to the judgment of the Supreme Court in Union of India v Mahendra Singh (C.A. No. 4807 of 2022 (arising out of SLP (Civil) No.19886 of 2019)



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decided on 25.07.2022). A reading of the same would make it clear that filling up of the application and also attempting of the answer sheet have to be done in the manner so prescribed. It has further been held in the said judgment that even if the mistake in the filling up of the OMR answer sheet has crept into due to inadvertence, the candidature of the applicant should be rejected.”

12. Since the shading of bubble in the OMR sheet is held to be invalidating the candidate from evaluating the answer sheet, it could not be equated with the trivial error of writing a roll number in numerals. In the judgment cited by the learned counsel for the writ petitioner in *Vashist Narayan Kumar's* case is concerned with uploading applications and in that case, the candidates have subsequently participated in various eligibility tests and only at the time of certificate verification, the errors in the applications submitted are found to be trivial and the same has been condoned by the Hon'ble Apex Court, whereas, the case of hand is concerning with the OMR answer sheet and the writing of roll number and shading the bubble in the OMR answer sheet are very important acts to be complied with on the part of each candidate.

13. In view of the discussion made, we are of the view that the direction issued by the Writ Court warrants interference of this Court and accordingly,



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the order passed in W.P.(MD).No.13569 of 2024 dated 23.07.2024 is set aside

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and the Writ Appeal stands allowed. There shall be no order as to costs.

Consequently, connected miscellaneous petitions are closed.

(G.R.S.,J.) (K.R.S.,J.)
12.08.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To
The Director of School Education
DPI Campus,
Chennai – 6.



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G.R.SWAMINATHAN, J.
and
K.RAJASEKAR, J.

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Judgment made in
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