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WP No. 130 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-01-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

**WP No. 130 of 2026
and
WMP.No.122 of 2026**

1. N.Kanimozhi W/o. G. Gobinath, No.14/25-I,
Panneerselvam Street, Karattadipalayam,
Erode District-638453
2. M.S. Rajasulochana W/o. (Late) T.R. Kathirvel,
No.41, Bajanai Koil Street, Pudhupalayam,
Gobichettipalayam, Erode District-638 476

..Petitioner(s)

Vs

The Teachers Recruitment Board,
Rep. By its Secretary,
3rd and 4th Floor,
Puratchi Thalaivar, Dr, MGR Centenary Building,
Perasiriyar Anbazhagan Kalvi Valagam,
College Road, Chennai-600 006

..Respondent(s)

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Declaration, declaring the evaluation methodology adopted by the Respondent in Awarding asterisk (*) symbol to 5 questions (Question Nos.83, 85, 149, 167 and 180) and consequently awarding 5 marks to all candidates irrespective of whether they attempted those questions or not, as stated in the master copy issued by the Respondent containing the 180 questions in Part A and Part B in the examination held on 12.10.2025 for the post of PG Assistant in Economics and the presence of multiple correct of PG Assistant in Economics and the presence of multiple correct options for 1 question namely



Question No.175 as arbitrary unreasoned, discriminatory and violative of Articles 14 and 16 of the constitution of India and consequently direct the Respondent to -Re-evaluated all answer sheets by removing the 5 marks awarded for asterisk-marked questions namely questions Nos.83, 85, 143 167 and 180; Award marks only to candidates who actually attempted and answered the 5 questions with the asterisk () symbol correctly namely question Nos.83, 85, 149, 167 and 180 -Prepare a fresh merit list based on such re-evaluation for part B.

For Petitioner(s): Mrs.Nalini Chidambaram, Sr. Counsel
for M/s. C.Uma

For Respondent(s): Mr.R.Neelakandan, AAG
Asst. by Mr.C.Kathiravan

ORDER

This Writ Petition has been filed to declare the evaluation methodology adopted by the respondent in awarding asterisk (*) symbol to 5 questions (Question Nos.83, 85, 149, 167 and 180) and consequently awarding 5 marks to all candidates irrespective of whether they attempted those questions or not, as stated in the master copy issued by the respondent containing 180 questions in Part A and Part B in the examination held on 12.10.2025 for the post of PG Assistant in Economics and the presence of multiple correct of PG Assistant in Economics and the presence of multiple correct options for 1 question namely, Question No.175 as arbitrary unreasoned, discriminatory and violative of Articles 14 and 16 of the Constitution of India and consequently, to direct the



respondent to Re-evaluate all answer sheets by removing the 5 marks awarded for asterisk-marked questions namely, questions Nos.83, 85, 143 167 and 180; award marks only to candidates, who actually attempted and answered the 5 questions with the asterisk (*) symbol correctly namely, question Nos.83, 85, 149, 167 and 180; and prepare a fresh merit list based on such re-evaluation for Part B.

2. In view of the order which this Court proposes to pass, WMP.No.119 of 2026 is ordered on payment of Single Court fee.

3. Heard the learned Senior counsel for the petitioners and learned Additional Advocate General appearing on behalf of the respondent Board.

4. The brief facts of the case is as follows:-

4.1. The respondent issued notification dated 10.07.2025 inviting applications for the Post of PG Assistants for various subjects, including Economics. The first petitioner belongs to SC and second petitioner belongs to MBC category, being qualified and eligible candidates submitted their applications and appeared for the Written Examination held on 12.10.2025. The Written Examination consisted of 180 Multiple Choice Questions divided into two parts (I) Part A (Tamil Eligibility Test) (30 Questions) and Part B (Subject Knowledge) (31 to 180 Questions). The result of the examination was released

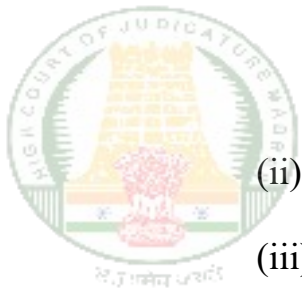


by the respondent and qualified candidates were called for certificate verification on 27.11.2025 and the petitioners secured 83 and 74 marks respectively. Upon release of the question booklet with key answers, the petitioners noticed that 5 questions in Part B were marked with an asterisk (*) symbol, namely, Question Nos.83, 85, 149, 167 and 180, however, for the said 5 questions, correct options were also given. Though the said 5 questions have the correct options among the 4 options, yet the Teachers Recruitment Board arbitrarily has given the symbol asterisk (*).

4.2. The respondent without providing any reason or justification, awarded 5 marks to all the candidates irrespective of the fact whether the candidates attempted those questions or not or the candidates answered those questions correctly or not, which constitutes violation of Articles 14 to 16 of the Constitution of India and the principles laid down in respondent's own notification. Hence the present Petition.

5. The learned Senior counsel for the petitioners submitted that by awarding 5 marks to all the candidates irrespective of the fact whether the candidates attempted those questions or not or the candidates answered those questions correctly or not, the respondent has committed the following violations:-

(i) Violation of Articles 14 to 16 of the Constitution of India;



(ii) Violation of Principle of reasonable classification;

(iii) Violation of Principles of natural justice;

(iv) Violation of Doctrine of Legitimate Expectation;

(v) Examination vitiated due to fundamental defects;

(vi) Arbitrariness in Selection Process;

(vii) Lack of merit;

(viii) Unreasonableness and proportionality;

(ix) Violation of Principles laid down in respondent's own notification

and thereby pleaded to allow the present Writ Petitions.

6. Per contra, the learned Additional Advocate General appearing for the respondent submitted that the respondent Board on their own admitted that five questions were wrongly framed and hence, they decided to award marks for those questions to all the candidates irrespective of the fact whether the candidates had attended the questions or not. He further submitted that such an approach of awarding marks for the wrong questions to all the candidates by the respondent Board, cannot be termed as irrational. Moreover when, as per the experts, the answers provided to the questions were not correct, which had been identified by the Board, the decision of the Board to give marks to all the candidates would not act as inequality merely because certain candidate may not have answered the said questions. Hence, he prayed this Court to dismiss the Writ Petition.



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7. I have considered the submissions made by the respective learned counsels and also perused the materials available on record.

8. The facts in the present case are not in dispute. The main grievance espoused by the petitioners relate to award of marks for questions, which according to the respondent has been wrongly given and the answers provided are also wrong, which have not been attempted by such of the candidates who have not attempted the said questions, which is nothing but infraction of Article 14 and 16 of the Constitution.

9. It is the stand of the petitioners that correct answers have been provided for the said questions, yet, while the answer key was given, the said questions were marked with an asterisk and were held to be wrong questions for which marks were awarded to all the candidates, whereas according to the respondent, the questions itself were wrongly framed and, therefore, the expert committee had thought it fit to award mark to all the candidates considering the fact that the question itself is wrongly framed as no fault could be attributed to the said candidates, who have not attempted the said questions.



10. A perusal of the materials reveal that of the total of 180 questions, 5 questions, according to the respondent was wrongly framed, which led to giving marks for all the candidates, irrespective of their attending the question or not. Though it is the stand of the petitioners that giving marks to persons who have not attempted the questions is violation of the principles of equality, however, it is to be pointed out that the respondent is the expert body, which could decide the issue of correctness of a question and the petitioners cannot plead that the questions were correctly framed. Of the total of 180 questions, marks for the said five questions were given to all the candidates, who wrote the exam, as the question, according to the respondent were wrongly framed, which clearly shows that there is clear semblance of equality in dealing with all the candidates by the respondent as irrespective of the candidates attending the question, as the expert body, viz., the respondent felt that the questions were wrongly framed, all the candidates have been given marks. Only if the candidates, who have not attempted the said questions were not given marks, inspite of the stand of the respondent that the questions were wrongly framed, there would be an element of inequality if marks were not awarded to the said candidates for not attending the said questions and not otherwise.

11. A prudent and correct approach had been taken by the respondent in awarding marks to all the candidates, who wrote the exams for the 5 questions, which were claimed to have been wrongly framed, which is the correct and



proper approach, which satisfies Article 14 and 16 of the Constitution. Even otherwise, if the respondent had not given marks to the 5 questions to all the candidates who appeared for the exams by construing that the questions were wrongly framed, then that too would not have any semblance of inequality. Merely because the petitioners have attempted the said questions, their claim that they alone should be given marks cannot be accepted for the simple reason that if such a course had been adopted by the respondent, that would be perpetration of inequality by the respondent, when they, on their own volition, knew that the questions which they have given were wrongly framed and, therefore, the candidates, who had taken the exams cannot be expected to have answered the said questions when the questions itself were wrongly framed and, thereby, the answers to the said questions would be wrong, which is specifically the stand of the respondent. When the answer itself is wrong, it makes no sense to implore upon the candidates to answer the said questions, as none of the answers would be right and if the candidates have not answered the said questions, they cannot be held to be at fault and rightly thinking in the said direction, the respondent has awarded mark to all the candidates who had taken the exam and the said course is neither arbitrary, unreasonable, perverse or irrational and the same does not require any interference at the hands of this Court.



12. For the reasons aforesaid, the Writ Petition fails and the same stands dismissed. Consequently, connected Miscellaneous Petition is closed. There shall be no order as to costs.

12-01-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

DP/GLN

To
The Secretary,
Teachers Recruitment Board,
3rd and 4th Floor,
Puratchi Thalaivar, Dr, MGR Centenary Building,
Perasiriyar Anbazhagan Kalvi Valagam,
College Road, Chennai-600 006



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M.DHANDAPANI, J.

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