

(2013) 11 MAD CK 0141

Madras High Court (Madurai Bench)

Case No: Writ Petition (MD) No. 19030 of 2013 and M.P. (MD) No. 1 of 2013

P.R. Pandian

APPELLANT

Vs

The State of Tamil Nadu and The
Teachers Recruitment Board

RESPONDENT

Date of Decision: Nov. 26, 2013

Hon'ble Judges: S. Nagamuthu, J

Bench: Single Bench

Advocate: R. Narayanan, for the Appellant; V.R. Shanmuganathan, Spl. Govt. Pleader, for the Respondent

Final Decision: Dismissed

Judgement

@JUDGMENTTAG-ORDER

S. Nagamuthu, J.

The petitioner in this writ petition had written the Teachers Eligibility Test (TNTET) Examination, 2013. The petitioner was supplied with "D" Series Question Paper in Paper-II. According to the petitioner, the key answers given by the Teachers Recruitment Board to Question Nos. 76, 2, 8, 13, 18, 78 and 146 are wrong. Therefore, he has come forward with this writ petition seeking appropriate relief. Today, the writ petition is listed under the caption "for admission". I have heard the learned counsel for the petitioner and the learned Special Government Pleader, taking notice for the respondents. By consent, the writ petition is taken-up for final disposal at the admission stage itself.

2. Question No. 76 reads as follows:

76. Choose the correct word order.

- A) You and Rachel and I can expect promotion
- B) Rachel and I and you can expect promotion

C) Rachel and you and I can expected promotion

D) I and Rachel and you can expect promotion

3. Question No. 2 reads as follows:

2. While teaching children, the teacher mostly uses images to

A) Develop tactile images

B) Develop visual images

C) Develop concrete images

D) Develop olfactory images

4. Question No. 8 reads as follows:

8. According to the psychologist counselling covers all types of personal situations in which one person is helped to adjust more effectively to himself and his environment.

A) Carl Rogers

B) Robinson

C) Good

D) Erickson

5. Question No. 13 reads as follows:

13. The first Minnesota Multiphasic Personality Inventory (MMPI) has items

A) 120

B) 320

C) 550

d) 330

6. Question No. 18 reads as follows:

18. If we track the proficiency achieved by a student for about 6 months, who learns drawing then the obtained learning curve is

A) Positive curve

B) "S" typed curve

C) Bell shaped curve

D) Negative curve

Q. No. 78 reads as follows:

68. Seldom ----- our teacher come late to school.

(A) do

(B) did

(C) have

(D) had

7. Already, this Court has decided challenges made to all the above questions, namely, Q. Nos. 76, 2, 8, 13, 18 and 78, in different writ petitions, except Q. No. 146. Therefore, no further adjudication is required in respect of those questions.

8. Question No. 146 reads as follows:

146. Who said "Hindus and Muslims as pots of the same clay"?

A) Gurunanak

B) Namadeva

C) Kabir

D) Chaitanya

9. This question is equivalent to Question No. 131 in "A" Series. According to the petitioner, none of the options is correct answer. But, according to the Teachers Recruitment Board, option "C" is the correct answer. In this regard, three Experts, namely (1) Mr. A. Balakrishnan, B.T. Assistant (History), Chennai Girls Hr. Sec. School, Nungambakkam, Chennai-34; (2) Ms. Stella Anantha Kumari, P.G. Assistant (History), Jaigopal Garodia Govt. Girls Hr. Sec. School, Nungambakkam, Chennai-94; and (3) Mr. S. Parasuraman, P.G. Assistant (Geography), PCKG Govt. Hr. Sec. School, Kodambakkam, Chennai-24, were nominated by the Teachers Recruitment Board. They given opinion as follows:

The Kabir said Hindus and Muslims as pots of the same clay (Option C).

The Experts have referred to the Standard VII Social Sciences (CBSE) Book at Page No. 71. Except stating that none of the choices are correct, the petitioner has not demonstrated as to how the key answer given by the Teachers Recruitment Board is not correct. In view of the same, I concur with the view of the experts. At this juncture, it needs to be mentioned that in [Kanpur University and Others Vs. Samir Gupta and Others](#), , the Hon'ble supreme Court has held that unless the key answers are demonstrably wrong, it is not permissible for this Court to examine the same. The Supreme Court has further held that the key answer set by the paper setter shall be presumed to be the right answer and if the person who challenges the same wants to succeed, he should demonstrate before this Court that the key

answer is wrong. But, the petitioner is not able to so demonstrate. When there is presumption in favour of the paper setters, it is the duty cast upon the petitioner to demonstrate that the key answer is wrong. Thus, I do not find any merit in this challenge.

In the result, the writ petition fails and the same is dismissed. No costs. Connected M.P. (MD) No. 1 of 2013 is also dismissed.