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WA No. 1105 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-07-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

WA No. 1105 of 2026 AND

CMP NO. 11015 OF 2026

1. The Chairman
Tamil Nadu Uniformed Services Recruitment
Board, Chennai-02.
2. The Principal Secretary to Government
Tamilnadu Uniformed services
Recruitment Board, Chennai-600 002

..Appellants

Vs

1. Tamilarasan
S/o.Arankanathan
3/73, Pallikuda street,
Karai post, Villupuram -605 201.
2. Sathish
S/o.Arumugam 206, middle street,
T.Edayar, post, Villupuram
3. The Principal Secretary to Government
Home Department, Government of Tamil
Nadu, Chennai.

..Respondents

Prayer : Writ Appeal under Clause XV of the Letters Patent to set aside the order dated 23.02.2026 made in WP No. 2520 of 2026.



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For Appellant(s):

Mr.T.Gowthaman, Additional Advocate General,
assisted by Mrs.D.Sowmi Dattan, Standing
Counsel for Tamil Nadu Uniformed Service
Recruitment Board (TNUSRB)

For Respondent(s):

Mr.T.Gokulakrishnan for R1 & R2,
No Appearance for R3

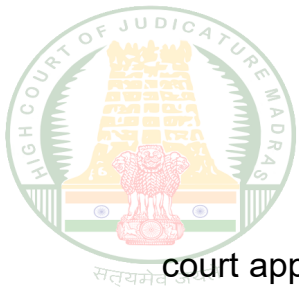
Judgment

(Judgment of the Court was delivered by S.M.Subramaniam J.)

Under assail is the order dated 22.10.2026 made in W.P No. 2520 of 2026.

2. Tamil Nadu Uniformed Services Recruitment Board (TNUSRB) issued recruitment notification for selection and appointment to the post of Grade II Constable / Grade II Jail Warder. The respondents participated in the process of selection. They passed in the written examination held on 09.01.2025. They appeared for physical verification test and endurance test. In order to get merit ranking upwards, they filed the writ petition stating that five questions in the written examination are either incorrect or the key answers are not matching. Thus, the writ petition was instituted to award appropriate marks to the petitioners in respect of Question Nos.6,7,13,31 and 52.

3. The writ Court granted the relief by analysing the nature of questions, key answers and the expert opinion. The State preferred the present intra



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court appeal mainly on the ground that the substituted opinion of the writ court against the expert report resulted in granting relief, which is not in consonance with the established legal principles. Learned Additional Advocate General drew our attention to the above questions, correct answers as well as the expert opinion and would submit that even the expert opinion is not considered by the writ Court and therefore the order impugned is to be set aside.

4. Learned counsel for the respondents 1 and 2 would oppose by stating that certain errors in the questions are considered by the writ Court. The answers are not fully correct. Therefore the writ Court considered the issues and granted the relief. It is not only based on the expert opinion but the writ Court considered the correct answers in the context of the questions asked. Therefore the present appeal is to be rejected.

5. In respect of Question No.6, the correct answer as per the answer key is 'A'. The expert opinion also states the correct answer as 'A'. In respect of Question No.7, the preliminary answer key states the correct answer as 'C' and the expert opinion also states the correct answer as 'C'. In respect of Question No.13, the key answer is 'B' and the expert opinion is also 'B'. Regarding Question No.31, the preliminary answer key states that the correct

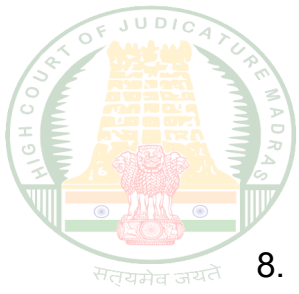


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answer is 'D', but the expert opinion is 'C' or 'D'. In respect of Question No.52, the key answer is 'B' and the expert opinion also concurs with that.

6. In the context of the above factual position, the writ Court has gone into the nature of the questions asked as well as the subjects in which the questions are asked and further gone into the extent of substituting its views by stating that the opinion of the experts are incorrect. Since the writ Court arrived at a conclusion that the opinion of the experts is incorrect in the context of the question asked, a direction was issued to award marks to all the candidates who had answered Question Nos.13 and 31. In respect of Question Nos.6, 13, and 31, direction was issued to award marks to all the candidates who participated in the written examination.

7. In respect of Question No.6, the writ Court analysed the subjects like an expert body and made a finding that the question is not properly worded and though the expert had opined that the answer to the said question would be 'C', the erroneous question framed cannot be put against the candidates to deny them marks for the same. The said finding is unnecessary since the Court cannot substitute its views with the expert's opinion in the subject.

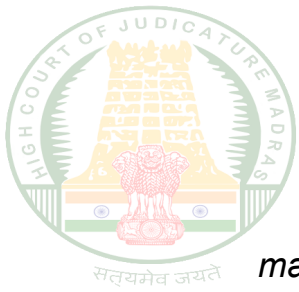


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8. Regarding Question No.13 also, the writ court has gone into the subject and substituted its views. In respect of all the three questions, the writ Court has substituted its views based on its own reasoning, which is unnecessary and it would fall beyond the realm of the powers of judicial review. Regarding Question No.7, marks are directed to be awarded only to the respondents. The question is as to whether commissioning of the first rocket launching station at Satish Dhawan Space Centre at Sriharikota and the second centre at Kulasekarapattinam in Tuticorin District is correct. The very finding of the writ court is not in accordance with the expert's opinion and thus, the finding is unacceptable.

9. In the presence of domain expert, the High Court in exercise of the powers of judicial review is not expected to substitute its views. Substitution of views would result in causing prejudice. In this regard, the Hon'ble Supreme Court of India in the case of **Basavaiah (Dr.) v. Dr. H.L. Ramesh & Others (2010) 8 SCC 372** held as follows:

"32. According to the experts of the Selection Board, both the appellants had requisite qualification and were eligible for appointment. If they were selected by the Commission and appointed by the Government, no fault can be found in the same. The High Court interfered and set aside the selections



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made by the experts committee. This Court while setting aside the judgment of the High Court reminded the High Court that it would normally be prudent and safe for the courts to leave the decision of academic matters to experts. The Court observed as under:

"7. When selection is made by the Commission aided and advised by experts having technical experience and high academic qualifications in the specialist field, probing teaching research experience in technical subjects, the Courts should be slow to interfere with the opinion expressed by experts unless there are allegations of mala fides against them. It would normally be prudent and safe for the Courts to leave the decision of academic matters to experts who are more familiar with the problems they face than the Courts generally can be..."

33. In *Dr. J. P. Kulshrestha & Others v. Chancellor, Allahabad University & Others* (1980) 3 SCC 418, the court observed that the court should not substitute its judgment for that of academicians:

"17. Rulings of this Court were cited before us to hammer home the point that the court should not substitute its judgment for that of academicians when the dispute relates to educational affairs. While there is no absolute ban, it is a rule of



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prudence that courts should hesitate to dislodge decisions of academic bodies."

34. In [Maharashtra State Board of Secondary and Higher Secondary Education & Another v. Paritosh Bhupeshkumar Sheth & Others](#) (1984) 4 SCC 27, the court observed thus:

"29. ... As has been repeatedly pointed out by this Court, the Court should be extremely reluctant to substitute its own views as to what is wise, prudent and proper in relation to academic matters in preference to those formulated by professional men possessing technical expertise and rich experience of actual day-to-day working of educational institutions and the departments controlling them."

35. In [Neelima Misra v. Harinder Kaur Paintal & Others](#) (1990) 2 SCC 746, the court relied on the judgment in [University of Mysore](#) (supra) and observed that in the matter of appointments in the academic field, the court generally does not interfere. The court further observed that the High Court should show due regard to the opinion expressed by the experts constituting the Selection Committee and its recommendation on which the Chancellor had acted.

36. In [Bhushan Uttam Khare v. Dean, B.J. Medical College & Others](#) (1992) 2 SCC 220, the court placed reliance on the Constitution Bench decision in [University of Mysore](#) (supra) and reiterated the same legal position and observed as under:



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"8. ... the Court should normally be very slow to pass orders in its jurisdiction because matters falling within the jurisdiction of educational authorities should normally be left to their decision and the Court should interfere with them only when it thinks it must do so in the interest of justice."

37. In *Dalpat Abasaheb Solunke & Others v. Dr. B.S. Mahajan & Others* (1990) 1 SCC 305, the court in some what similar matter observed thus:

"... ..It is needless to emphasise that it is not the function of the court to hear appeals over the decisions of the Selection Committees and to scrutinize the relative merits of the candidates. Whether a candidate is fit for a particular post or not has to be decided by the duly constituted Selection Committee which has the expertise on the subject. The court has no such expertise. The decision of the Selection Committee can be interfered with only on limited grounds, such as illegality or patent material irregularity in the constitution of the Committee or its procedure vitiating the selection, or proved mala fides affecting the selection etc. It is not disputed that in the present case the University had constituted the Committee in due compliance with the relevant statutes. The Committee consisted of experts and it selected the candidates after going through all the relevant material before it. In sitting in appeal over the



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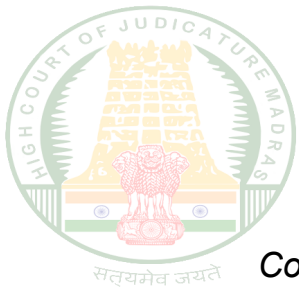
selection so made and in setting it aside on the ground of the so called comparative merits of the candidates as assessed by the court, the High Court went wrong and exceeded its jurisdiction."

38. *The Chancellor & Another etc. v. Dr. Bijayananda Kar & Others* (1994) 1 SCC 169, the court observed thus:

"9. This Court has repeatedly held that the decisions of the academic authorities should not ordinarily be interfered with by the courts. Whether a candidate fulfils the requisite qualifications or not is a matter which should be entirely left to be decided by the academic bodies and the concerned selection committees which invariably consist of experts on the subjects relevant to the selection...."

39. In *Chairman J&K State Board of Education v. Feyaz Ahmed Malik & Others* (2000) 3 SCC 59, the court while stressing on the importance of the functions of the expert body observed that the expert body consisted of persons coming from different walks of life who were engaged in or interested in the field of education and had wide experience and were entrusted with the duty of maintaining higher standards of education. The decision of such an expert body should be given due weightage by courts.

40. In *Dental Council of India v. Subharti K.K.B. Charitable Trust & Another* (2001) 5 SCC 486, the court reminded the High



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Courts that the court's jurisdiction to interfere with the discretion exercised by the expert body is extremely limited.

41. In [Medical Council of India v. Sarang & Others](#) (2001) 8 SCC 427, the court again reiterated the legal principle that the court should not normally interfere or interpret the rules and should instead leave the matter to the experts in the field.

42. In [B.C. Mylarappa alias Dr. Chikkamylarappa v. Dr. R. Venkatasubbaiah & Others](#) (2008) 14 SCC 306, the court again reiterated legal principles and observed regarding importance of the recommendations made by the expert committees.

43. In [Rajbir Singh Dalal \(Dr.\) v. Chaudhari Devi Lal University, Sirsa & Another](#) (2008) 9 SCC 284, the court reminded that it is not appropriate for the Supreme Court to sit in appeal over the opinion of the experts.

44. In [All India Council for Technical Education v. Surinder Kumar Dhawan & Others](#) (2009) 11 SCC 726, again the legal position has been reiterated that it is a rule of prudence that courts should hesitate to dislodge decisions of academic bodies.

45. We have dealt with the aforesaid judgments to reiterate and reaffirm the legal position that in the academic matters, the courts have a very limited role particularly when no mala fide has been alleged against the experts constituting the selection committee. It would normally be prudent, wholesome and safe for the courts to leave the decisions to the academicians and experts. As a matter of principle, the courts should never make an endeavour to sit in appeal over the decisions of the experts.



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The courts must realize and appreciate its constraints and limitations in academic matters.

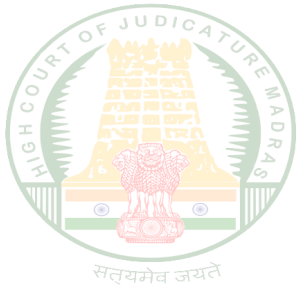
46. In the impugned judgment, the High Court has ignored the consistent legal position. They were expected to abide by the discipline of the precedents of the courts. Consequently, we are constrained to set aside the impugned judgment of the Division Bench of the High Court and restore the judgment of the Single Judge of the High Court.

47. The University of Mysore, respondent herein, is directed to give regular pay-scale to the appellants from 1st August, 2010. To avoid any further litigation, we may make it clear that the appellants would not be entitled to claim any arrears or benefits for the past period.”

10. In view of the fact that the Writ Court has interfered with the expert's opinion on the subject and granted the relief, the writ order impugned is infirm. Consequently, order dated 23.02.2026 passed in W.P.No.2520 of 2026 is set aside. The writ appeal stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

(S.M.S.,J.) (N.S.,J.)
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Index: Yes
Speaking order
Neutral Citation: Yes
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**S.M.SUBRAMANIAM J.
AND
N.SENTHILKUMAR J.**

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To

The Principal Secretary to
Government, Home Department,
Government of Tamil Nadu,
Chennai.

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