

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 24.06.2015

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THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.17788 of 2015
and M.P.No.1 of 2015

KA.T.Rajarajan
S/o.V.Tamil Selvan No.66 3rd Cross Power
House Colony Krishnagiri-635 001 Rep. by
his Father/natural Guardian V.Tamil Selvan. ... Petitioner

Versus

- 1 The Director of Government
Examinations DPI Campus College Road
Chennai-600 006.
- 2 The Secretary
Selection Committee Directorate of Medical
Education Kilpauk Chennai-600 010.
- 3 The Medical Council of India
Rep. by its Director Pocket-8 Dwarka New
Delhi-110 077. ... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, Directing the respondents to rectify the grossest error committed in valuing the answer book of the petitioner KA.T.Rajarajan (Regn. No. 393217) in subject of Chemistry with reference to question No.41 in Part-II and Question No.10 in Part-I on considering the representation submitted by the petitioner dated 17.6.2015 and consequently award marks for the questions.

For Petitioner : Mr.G.Sankaran
For Respondents : Mrs.P.Rajalakshmi (for R1 & R2)
Government Advocate
Mr.V.P.Raman (For R3)
Standing counsel

O R D E R

By consent, the writ petition is taken up for final disposal.

2. The petitioner is the minor aged about 17 years and his father, has sworn to the affidavit on his behalf and he would state that the petitioner has written the 12th standard Board Examination during March 2015 and he being a meritorious student has written the examination exceedingly well with the sole aim to become a student securing admission in one of the Government Medical

College. It is further stated that the petitioner belongs to Backward Class community and he has secured 1164 marks out of 1200 and in the core subjects, secured the following marks.

Physics - 197

Chemistry - 197

Biology - 195 (after re-valuation)

and the cut off mark for securing Medical Admission is 196.

3. It is further stated that the petitioner has expected 200/200 marks in Chemistry, whereas, to his shock and surprise, he came to know that he was awarded only 197 marks. The answer script relating to the said subject was also downloaded and it was noted that part of question No.41 coming under Part-II (3 Marks question) has not been awarded 1 ½ marks in spite of the fact that the answer was correctly written. Likewise, inspite of one mark question in part-I, Question No.10, was attempted, one mark has not been awarded, therefore, the petitioner has lost 2 ½ marks. Therefore, in order to set right the said mistake, came forward to file this writ petition.

4. The learned counsel appearing for the petitioner has drawn the attention of this Court to the answer book of the petitioner as well the key answer and would submit that in respect of Question No.59, though the answers have been written correctly one mark has been reduced and in respect of Question No.10 for having attended the question one mark ought to have been awarded and hence, prays for appropriate orders.

5. Per contra, Mrs.P.Rajalakshmi, learned Government Advocate on instructions would submit that in respect of Question No.59 in Part-III, one mark was reduced by the Revaluation Committee, as it was noted that Step No.2 was not written by the petitioner and whereas Question No.10 in Part-I, is concerned it was conceded that the petitioner deserves one mark as he tried to solve the problem. It is further submitted by the learned Government Advocate that in respect of Question No.41, 1 ½ marks had already been awarded by the Revaluation Committee.

6. In the light of the above facts and circumstances, this Court directs one mark to be added in respect of Question No.10 in Part-I for Chemistry subject, which would result in the total marks of 148 as against 147 marks, which were originally awarded and the 1st respondent is directed to issue temporary mark list forthwith, after carrying out necessary correction and the 2nd respondent is directed to take appropriate steps and inform the decision taken regarding counselling to the petitioner, forthwith.

7. The writ petition is disposed of, accordingly. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

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To

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1 cc to Mr.G.Sankaran , Advocate Sr.No.31038

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