

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 27.11.2015

Coram:

The Honourable Mr.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
The Honourable Mrs.Justice PUSHPA SATHYANARAYANA

Writ Petition No.37867 of 2015
and M.P.Nos.1 and 2 of 2015

C.Ramamoorthy

.. Petitioner

Versus

1.Tamil Nadu Uniformed Services
Recruitment Board
Pantheon Road,
Egmore, Chennai 600 008.
represented by its Member Secretary.

2.The State of Tamil Nadu
represented by the Secretary,
Home Department, Fort St.George,
Chennai 600 009. Respondents

Petition filed under Article 226 of the Constitution of India praying for the issue of a writ of Mandamus, directing the respondents to properly evaluate the performance of the petitioner (Enrolment No.7800004) by granting additional 1.5 marks for his written examination for question Nos.11, 57 and 59 in question paper Series 'D', increase his total marks to 72.5 instead of 71 marks as has been granted now and consequently select him as Sub Inspector of Police (Taluk) - 2015 under Departmental Quota in the MBC/De-notified category.

For Petitioner ::: Mr.K.Rajasekaran

For Respondents ::: Mr.P.H.Arvind Pandian
Additional Advocate General
assisted by Mr.STS.Murthi
Government Pleader.

O R D E R

(The Order of the Court was made by The Hon'ble The Chief Justice)

The petitioner has participated in the recruitment process for selection of Sub-inspectors, in pursuance to the advertisement published on 8th February, 2015. The written examination was held on 24.05.2015 and provisional key answers were published on 30.05.2015 giving one week window period for giving representation by the candidates. Those representations were examined and then final key answers were published on 18.07.2015.

2. On declaration of the results, candidates who qualified written examination were called for the physical endurance test on 3rd, 4th and 5th August, 2015 in the ratio of 1:5, and thereafter, in the ratio of 1:2, candidates were called for viva-voce. The petitioner was fortunately successful till viva-voce test, but in the final list, his name does not figure, as he got 0.5 mark below the cut-off for the relevant category (MBC). Now the petitioner seeks to raise the issue of having made representation in pursuance to the key answers, within the window of one week, which however, did not find favour with the authorities concerned.

3. We may note that the results have been declared on 14.11.2015 and the submission of the learned counsel for the petitioner is that the cause for the petitioner to approach this Court arises only now.

4. We are not in agreement with the submission of the learned counsel for the petitioner. The cause, if any, arose when the final key answers were published. It cannot be said that after going through the whole process, since the petitioner unfortunately does not make it to the final list, he now seeks to rake up the issue, for which the grievance ought to have been made on 18.07.2015. In matters of such examinations, where more than 1,85,000 have participated for 1,078 posts, the whole system cannot be kept in abeyance and candidates are required to approach the Court immediately with their claims.

5. We find this a belated exercise by the petitioner to somehow gain 0.5 marks to make it to the list. Our sympathy can be with the petitioner, but not the relief.

6. We may also add that the controversy sought to be raised in respect of the same questions have already been adjudicated by us in the proceedings initiated at the relevant time by different candidates (W.P.Nos.25123, 28229 to 28233 of 2015) and even on merits, the issue really does not survive.

7. The writ petition accordingly stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

ksr

To

1.The Member Secretary,
Tamil Nadu Uniformed Services Recruitment Board
Pantheon Road, Egmore, Chennai 600 008.

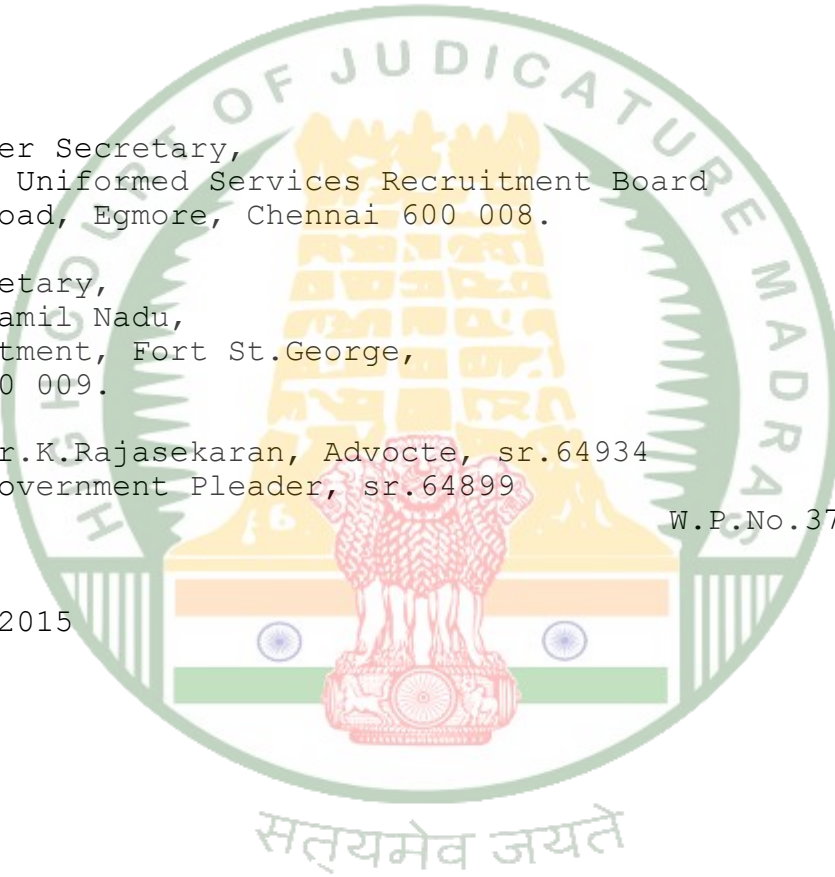
2.The Secretary,
State of Tamil Nadu,
Home Department, Fort St.George,
Chennai 600 009.

+1 cc to Mr.K.Rajasekaran, Advocte, sr.64934

+1 cc to Government Pleader, sr.64899

W.P.No.37867 of 2015

vgi co
kra 14.12.2015



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