

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S. SIVAGNANAM

W.P. No.4789 of 2015

C.Porchilai
rep. by her father & natural
guardian S.Chitrarasu .. Petitioner

-vs-

The Director of Government Examinations,
DPI Campus, College Road,
Chennai-600 006. ... Respondent

Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondent to revalue the answer book of the petitioner minor daughter C.Porchilai (Registration No.392488, Application No.1001659) in the subject Biology having subject code-009 Biology and to award marks on revaluation of Question No.22 in Section 'B' (Bio-zoology) on considering the representation submitted by the petitioner dated 05.02.2015, within a time frame to be fixed by this Court.

For Petitioner : Mr.G.Sankaran

For Respondent : Mr.R.Vijayakumar,
AGP

O R D E R

Heard Mr.G.Sankaran, learned counsel for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader appearing for the respondent.

2.The petitioner seeks direction upon the respondent to revalue the answer book of the minor daughter C.Porchilai (Registration No.392488, Application No.1001659) in the subject Biology having subject code-009 Biology and to award marks on revaluation of Question No.22 in Section 'B' (Bio-zoology) on considering the representation submitted by the petitioner dated 05.02.2015, within a time frame to be fixed by this Court.

3.The petitioner would state that one of the answer sheets in the Biology paper has not been evaluated properly and therefore seeks for revaluation. It is to be pointed out that revaluation has already been done, in spite of the petitioner's request that she is not

satisfied with the revaluation.

4.From the counter affidavit filed by the respondent, it is seen that the petitioner has applied for revaluation for her Biology answer script and the Directorate of Government Examinations have constituted the revaluation committee comprising of three experienced Biology teachers to revalue her answer script and revaluation was done and the experts have declared result and there is no change from already awarded mark and therefore it is confirmed that the petitioner's mark is 195/2000 in Biology.

5.Now the petitioner seeks for a direction before this Court to call for the papers and once again to revalue the Biology answer script. According to the petitioner, she has written four correct points as stated in the answer key and thereby she is entitled for full three marks for the question. But she was awarded only one mark. These aspects cannot be gone into by this Court. In the light of the legal issue having been settled by this Court in the case of C.Jagadiswaran vs. The Vice Chancellor, Tamil Nadu Dr.M.G.R.Medical University (W.P. (Md.) No.172 of 2014 dated 01.04.2014 wherein it has been held that revaluation cannot be ordered dehors the rules and in this case, re-valuation has already done and experts have also submitted that there is no change.

6.Hence, this Court is not inclined to substitute its view over the decision of the experts, who have revalued the petitioner's answer sheet and this Court cannot be acted as an Appellate Authority over the decision of the revaluation Committee and hence the relief sought for by the petitioner cannot be granted. Accordingly, the writ petition is dismissed. No costs.

Sd/-
Asst. Registrar

/true copy/

Sub Asst. Registrar.

vga

To
The Director of Government Examinations,
DPI Campus, College Road, Chennai-600 006.
+1cc to Mr.G.Sankaran,Advocate SR.No.13425
1 CC to the Government Pleader SR NO 13612

W.P. No.4789 of 2015

kgk[co]
gp/25.3.