



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.11.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P (MD) No.20482 of 2015

and

M.P. (MD) .Nos.1 and 2 of 2015

Karuppasamy

: Petitioner

Vs.

1.The Member Secretary,
Tamil Nadu Uniformed Services Recruitment Board,
Chennai.

2.The Chairman,
Selection Committee,
Tamil Nadu Uniformed Services Recruitment Board,
Chennai.

3.The Chairman,
Recruitment Sub-Committee,
Tamil Nadu Uniformed Services Recruitment Board,
Madurai Center,
Madurai.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records relating to the result published by the second respondent in Enrolment No.7400169 under the Police Departmental Quota and quash the same and consequently direct the second respondent to give marks to the petitioner for Question Nos.1 and 124 and allow the petitioner to participate in further selection process.

For Petitioner : Mr.V.Angusamy

For Respondents : Mr.S.Chandrasekar
Government Advocate

O R D E R

The petitioner applied to the post of Sub-Inspector of Police. He was not successful. While the cut-off mark for his category is 63.00, the petitioner secured only 62.50 marks. Hence, he filed this writ petition to give marks to the petitioner for question Nos.1 and 124 and to allow him to participate in further selection process.

2.The learned counsel for the petitioner has vehemently contended that the petitioner was awarded no marks for question Nos. 1 and 124 and if marks are awarded to question Nos.1 and 124, the petitioner would be successful in the written test and to be allowed to participate further



3. On the other hand, the learned Government Advocate has produced the order dated 28.10.2015 of the first Bench of this Court in W.P.(MD). No.34213 of 2015 (K.Kannan v. The Secretary to Government and others) and submitted that the matter is squarely covered by the said order and it is useful to extract the Paragraph Nos. 4 to 7 of the order as hereunder:

"4. In view of the aforesaid position, we cannot make an exception in the case of the petitioner merely on the ground that he needs half more mark to make the cut-off. There are many candidates who have lost by fraction to make it to the next stage and the petitioner obviously accepted the final key answer, but faced with the situation of not being called for the Viva voce, now belatedly seeks to raise the issue of the final key answer to question No.138 of 'B' series.

5. It is trite to say, in matters of examination where the process goes from one stage to the other, the petitioner must invoke the jurisdiction expeditiously, while in the present case it is clearly an after-thought, after the examination process is over.

6. We are, thus, unable to accept the plea of the petitioner.

7. Writ petition stands dismissed. No costs. Consequently, M.P.Nos.1 and 2 of 2015 also stand dismissed."

4. In view of the above, this writ petition is dismissed. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To

1. The Member Secretary,
Tamil Nadu Uniformed Services Recruitment Board,
Chennai.

2. The Chairman,
Selection Committee,
Tamil Nadu Uniformed Services Recruitment Board,
Chennai.

3. The Chairman,
Recruitment Sub-Committee,
Tamil Nadu Uniformed Services Recruitment Board,
Madurai Center,
Madurai.

+1 CC to Mr.V.Angusamy, Advocate, SR No.66347

+1 CC to the Special Government Pleader, SR No.66186