

**IN THE HIGH COURT OF JUDICATURE, AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA
PRADESH**

-

W.A.No.696 OF 2015

Between:

Pannem Manasa

....Appellant

A n d

The State of Andhra Pradesh,
Rep. by its Principal Secretary to Higher Education Department,
Andhra Pradesh Secretariat, Saifabad, Hyderabad
and another

....Respondents

DATE OF JUDGMENT PRONOUNCED: 21.07.2015

SUBMITTED FOR APPROVAL:

**HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
THE HON'BLE SRI JUSTICE S.V. BHATT**

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| 1. | Whether Reporters of Local newspapers may be allowed to see the Judgments? | Yes/No |
| 2. | Whether the copies of judgment may be marked to Law Reporters/Journals? | Yes/No |
| 3. | Whether their Ladyship/Lordship wish to see the fair copy of the Judgment? | Yes/No |

**HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
THE HON'BLE SRI JUSTICE S.V. BHATT**

W.A.No.696 OF 2015

PC: *(Per the Hon'ble Sri Justice S.V.Bhatt)*

Heard Mr.Naga Praveen Vankayalapati, learned counsel for the appellant.

The writ appeal is directed against the order dated 24.06.2015 in W.P.No.16336 of 2015. Writ petitioner is the appellant.

The appellant prayed for Mandamus declaring the inaction of 2nd respondent in deleting Question No. 30 from set 'B' series question paper of EAMCET 2015 or alternatively in awarding one mark for the aforesaid question to appellant, as illegal, irregular, arbitrary, amounts to non-application of mind and unconstitutional.

The appellant is a student and has appeared for the agriculture and medical stream of EAMCET examination conducted on 08.05.2015. In the instant examination, the appellant has secured the following marks:

Sl.No.	Subject	Total marks	Secured marks
1.	Biology	80	75
2.	Physics	40	17
3.	Chemistry	40	20
	Total	160	112

The appellant invoked the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India for the reliefs viz., to delete Question No. 30 from set 'B' series question paper of EAMCET 2015 or alternatively award one mark for the aforesaid question. The appellant, by reference to a few circumstances, tried to point out that there is error in the key answer given by the Convenor of EAMCET examination. The learned Single Judge through the detailed order impugned in the appeal has found that the error pointed out by the appellant is not demonstrably wrong and declined to entertain the writ petition. The learned Single Judge in the order under appeal referred to the authoritative pronouncements on the issue of the Apex Court and

dismissed the writ petition.

Having perused the material available on record, we are of the view that the grievance canvassed by the appellant was considered from all perspectives and the authoritative pronouncements were applied and the writ petition was dismissed. We are in full agreement with the view taken by the learned Single Judge and we have no option except to dismiss the appeal.

In addition to what is observed by the learned Single Judge, it is required to be noted that the appellant through representations dated 11.05.2015 and 23.05.2015, objected to the key answer given by the Convenor, EAMCET, 2015 and prayed for changes. The learned counsel appearing for the appellant at the time of hearing does not dispute the correctness of procedure followed by the Convenor in receiving objections against the key answers given by Convenor to the questions in the common entrance examination and finalization of key answers. The objections are considered by the experts/academicians and final key is set for valuation of all the papers. Once the experts/academicians have taken the decision, for the reasons stated by the appellant herein, this Court cannot sit as a Court of appeal and direct deletion of Question No.30 from the set 'B' series question paper of EAMCET 2015 or direct respondent No.2 to award one mark to the appellant.

For the above reasons, the writ appeal fails and is dismissed.

Consequently, miscellaneous petitions, if any pending, also stand disposed of.

ACJ

DILIP B. BHOSALE,

S.V.BHATT,

J

Date: 21.07.2015

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