

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.08.2016

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN

W.P.No.29023 of 2014

S.N.Pramila Revathi

.. Petitioner

Vs.

- 1.Chairman cum Managing Director,
Tamil Nadu Generation and Distribution
Corporation Ltd. (TANGEDCO),
NPKRR Maaligai,
144, Anna Salai,
Chennai-600 002.
- 2.Chief Engineer /Personnel,
Tamil Nadu Generation and Distribution
Corporation Ltd. (TANGEDCO),
NPKRR Maaligai,
144, Anna Salai,
Chennai-600 002.
- 3.Superintending Engineer,
Tamil Nadu Generation and Distribution
Corporation Ltd. (TANGEDCO),
Vellore EDC,
Vellore-632 006.

... Respondents

The writ petition has been filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the first respondent to re-evaluate the marks awarded to the petitioner, in the interview conducted, for the post of Technical Assistant (Electrical), on 10.12.2013.

For Petitioner : Mr.R.Pandian

For Respondents : Ms.R.Varalakshmi

ORDER

Heard.

2 This writ petition has been filed by the petitioner, praying that this Court may be pleased to issue a Writ of Mandamus, directing the first respondent to re-evaluate the

marks awarded to the petitioner, in the interview conducted, for the post of Technical Assistant (Electrical), on 10.12.2013.

3 The learned counsel appearing on behalf of the petitioner had submitted that the petitioner had secured 64.16 marks, out of 85 marks, in the Diploma course, in Electrical Engineering. However, the petitioner had been awarded only 6 marks, out of 15 marks, in the interview. As such, the petitioner had obtained a total of 70.18 marks. Accordingly, the petitioner had not been selected, for being appointed as a Technical Assistant (Electrical), as per the selection, held on 10.12.2013, for the said post, by the second respondent.

4 The learned counsel had further submitted that, even though the petitioner had answered the questions asked to her, during the interview, satisfactorily, she had not been awarded sufficient marks, for the interview. Hence, the petitioner has preferred the present writ petition before this Court, under Article 226 of the Constitution of India.

5 The learned counsel appearing on behalf of the respondents had placed before this Court an order passed by a learned Single Judge of this Court, dated 5.1.2015, in W.P.No.15936 of 2013, etc. batch of cases, wherein various issues had been dealt with, relating to the selection of the candidates, for the post of Technical Assistant (Electrical). Paragraph 9.6 of the said order reads as follows :

"9.6. Conduct of Interview :

The learned counsels appearing for the petitioners submitted that persons who have scored high marks in the qualifying examination were given lesser marks in the interview. There is no yardstick fixed for assessing the suitability of a candidate. In the absence of any procedure for awarding 15 marks, the selection will have to be held as arbitrary. This Court is unable to accept the said submission. There is no material available to hold that the respondents have awarded marks arbitrarily. The power of judicial review in a selection process is rather limited. The discretion is given to the respondents only for 15 marks. It is not as if all the apprentice trainees have been selected. The respondents have adopted a uniform methodology. Therefore, this Court does not find any merit in the submissions made."

6 The learned counsel had further submitted that the petitioner had scored only 6 marks out of 15 marks allotted for the interview. Further, the questions asked to the candidates and answers given by them have not been recorded. It has also

been stated that there is no provision for the re-evaluation of the marks awarded to the candidates, during the interview.

7 In view of the submissions made by the learned counsels appearing on behalf of the parties concerned and on a perusal of the records available, it is noted that the petitioner had obtained only 6 marks, out of 15 marks allotted for the interview. Further, it is noted that the questions asked during the interview and the answers given by the candidates are not recorded. It is also noted that there is no provision for the re-evaluation of the marks awarded during the interview. In such circumstances, in view of the order passed by this Court, on 5.1.2015, in W.P.No.15936 of 2013, etc. batch of cases, this court does not find any merit in the present writ petition. Hence, this writ petition stands dismissed. No costs.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

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