



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 20.07.2017

CORAM :

THE HONOURABLE MR. JUSTICE K.K. SASIDHARAN

AND

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.A(MD)No.467, 156 & 984 of 2017

and

C.M.P(MD).Nos.4178 and 1742 & 1743 and 6703 of 2017

N.Gunasekaran	... Appellant in W.A.(MD).No.467 of 2017
D.Michael Raj	... Appellant in W.A.(MD).No.156 of 2017
P.Anbalagan	... Appellant in W.A.(MD).No.984 of 2017

Vs.

The Bharat Heavy Electricals Limited,
Rep. By Executive Director,
Human Resource Management,
Trichy - 620014.

... Respondent in all appeals

Common Prayer : These Writ Appeals have been filed to set aside the orders passed in W.P(MD).No.2180 of 2011, 2179 of 2011 and 2642 of 2011 respectively, dated 16 December 2014.

Prayer in WP(MD). 2180/ 2011 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a WRIT OF CERTIORARIFIED MANDAMUS, to call for the records pertaining to the order passed by the Respondent in TP:HR:R:ADVT 289 dated 26-11-2010 and quash the same and consequently direct the Respondent to appoint the Petitioner in the post of Crane Operator cum Rigger under the Ex-Serviceman quota.

Prayer in WP(MD). 2179/ 2011 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the order passed by the respondent in TP:HR:R:ADVT 289 dated 26/11/2010 and quash the same and consequently direct the respondent to appoint the petitioner in the post of Crane Operator cum Rigger under the Ex-Serviceman quota.

Prayer in WP(MD). 2642/ 2011 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the order passed by the respondent in TP:HR:R:ADVT 289 dated 26/11/2010 and quash the same and consequently direct the respondent to appoint the petitioner in the post of Crane Operator cum Rigger under the Ex-serviceman quota .



For Appellants : Mr.L.Jeen Felix for Mr.S.C.Herod Singh
in all Writ appeals.
For Respondents : Mr.C.Meenakshi Rama Prabhu for Mr.A.V.Arun
in all Writ appeals.

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C O M M O N J U D G M E N T

(Judgment of the Court was made by G.R.SWAMINATHAN, J.,)

The unsuccessful writ petitioners have filed these writ appeals. The writ petitioners are Ex-servicemen.

2.When the respondent issued recruitment notification for filling up 526 vacancies in the post of Artisans, the writ petitioners applied in response there to. Originally the writ petitioners were shown as having been selected. Subsequently, they were informed that there was an error in the valuation of O.M.R answer sheets and that the offer of appointment stood cancelled and withdrawn. Aggrieved by the same, the writ petitions were filed for quashing the said withdrawal orders and for directing the respondent to appoint the writ petitioners under Ex-serviceman quota.

3.The learned single Judge noted that the writ petitioners did not even come within the zone of consideration. In Paragraph No.4 of the order passed by the learned single Judge order dated 16.12.2014, the cut off marks and the details of the marks secured by the individual writ petitioners had been set out. The marks scored by the writ petitioners fell below the said cut off mark. Therefore, the writ petitioners could not even be considered. The writ petitioners cannot take advantage of the error that was committed by the respondent while evaluating the answer sheets. The order passed by the learned single Judge is well reasoned. We concur with the same. There are no merits in these writ appeals. Accordingly, these writ appeals stand dismissed. No costs. Consequently, connected miscellaneous petitions are also dismissed.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub-Assistant Registrar

+One cc to Mr.S.C.Herold Singh, Advocate, SR.No.66854

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skm/Arul

RL/3C/2P/KK/SAR4/1/8/2017 W.A(MD)No.467, 156 & 984 of 2017 and<https://hcservices.ecourts.gov.in/hcservices/>C.M.P(MD).Nos.4178 and1742 & 1743 and 6703 of 2017

20.07.2017