

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.25637 OF 2017

ORDER:

This writ petition is filed by the petitioner seeking the following relief –

“...to issue a Writ of Mandamus declaring the action of respondent No.2 in not evaluating the Public Administration paper of the petitioner properly thereby not adding marks to answers for question Nos.21, 22 and 23 and not awarding full marks for answers for question Nos.6, 9, 12, 13, 14, 15, 16 and 17 of Section-B which are of 5 marks each as illegal, arbitrary and violative of principles of natural justice and consequently direct the respondent No.2 to add full marks for all the correct answers and issue the corrected memo by considering the representation of the petitioner dt.20.07.2017 and pass any other order or orders as are deemed fit and proper in the circumstances of the case.”

2) It is the case of the petitioner that he has been awarded lesser marks than what he is otherwise entitled to in the subject of Public Administration-I, particularly, in relation to question Nos.6, 9, 12, 13, 14, 15, 16 and 17 of Section-B and, further he was not awarded marks to question Nos.21, 22 and 23. In this context on 20.07.2017 the petitioner had applied for revaluation of the answer sheets, in spite of the same, there is no response from them.

3) Learned standing counsel for the 2nd and 3rd respondents submits that taking into consideration of the allegations in the writ affidavit as well as the complaint of the petitioner answer paper of the petitioner, in Public Administration-I, was revaluated and having found that petitioner was not awarded marks for question Nos.21, 22 and 23, he was added six more marks. Learned

standing counsel also would submit that the revised memorandum of marks sheet would be issued to the petitioner.

4) Having considered the respective submissions, so far as the prayer of the petitioner seeking revaluation of the answer scripts is concerned is not permissible as the same is not provided under the rules, particularly when the case of the petitioner is only that as against his expectation of five marks for each question, the petitioner was only awarded four marks for each question. It may also be noted that there is no rule provided for revaluation in the Intermediate Board regulations. It is now well settled in catena of judgments that revaluation is not permissible except in rarest of rare cases. In the present case failure to award five marks as per the expectation of the petitioner and awarding four marks only does not fall in such exception.

5) Accordingly, the Writ Petition is dismissed. No order as to costs.

6) Consequently, Miscellaneous Petitions pending, if any, in this writ petition, shall stand closed.

JUSTICE CHALLA KODANDA RAM

Date:02.08.2017.

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