

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE SATRUGHANA PUJAHARI

W.P.No.23109 of 2018 and WMP.Nos.26992 and 26993 of 2018

V.Ramya

..

Petitioner

Vs

1. The General Manager,  
Vellore Thiruvannamalai District Co-operative Milk  
Producers Union Limited,  
No.142, Arcot Road,  
Sathuvachari, Vellore - 600 009

2. Thiru.B.Balaji

..Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for a writ of Certiorarified Mandamus to call for the records of the order of the 1<sup>st</sup> respondent dated 08.06.2018 in Ref.No.5207/P&A.1/2017 and quash the same and consequently, direct the 1<sup>st</sup> respondent to conduct a fresh interview in an a transparent manner for the post of Executive (System) in the 1<sup>st</sup> respondent society.

For Petitioner : Mr.Karan and Uday

For Respondents: Mr.L.P.Shanmugasundaram

Special Government Pleader for R1

ORDER

The case of the petitioner is that he applied for the post of Executive (System) on 25.09.2017 and participated in the examination conducted by the 1<sup>st</sup> respondent Co-operative Society. Though, he having been secured 61.00 marks in the written examination, his case has been denied by awarding less mark than the 2<sup>nd</sup> respondent in the interview and therefore, challenging the legality of the result published by the 1<sup>st</sup> respondent to be illegal and arbitrary, the petitioner has come forward to file this writ petition seeking for a direction to the 1<sup>st</sup> respondent to conduct a fresh interview in an transparent manner.

2. The learned counsel appearing for the petitioner submits that the viva-voce examination was not conducted properly. Though the petitioner has secured more marks in written examination, he was not awarded appropriate mark on the viva-voce examination and therefore, he has come to this Court seeking for the aforesaid relief challenging the selection process on the ground that the same was not transparent and as such, liable to be cancelled and the respondents be directed to conduct fresh viva-voce examination.

3. It appears that no material has been produced in the writ petition to substantiate the allegation made. The aforesaid therefore can very well said to be a wild allegation, the same is more so as there is no guarantee to the fact that a person who secured more marks in written examination or in otherwords perform better than other necessarily repeat the same in the oral test. Hence, in the absence of any concrete material to substantiate the allegation of the petitioner i.e the oral test was vitiated being tainted with bias which appears to this Court to be a wild one, is not inclined to issue notice in this writ petition challenging the result of recruitment. Accordingly, this writ petition stands dismissed at the stage of admission. No costs.

Sd/-  
Deputy Registrar

//True Copy//

Sub Assistant Registrar

rka

सत्यमेव जयते

WP.23109 of 2018

rrs 27/09/2018

WEB COPY