



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.02.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P. (MD) No.674 of 2018

K.Suresh

... Petitioner

-Vs-

The Managing Director,
Chennai Metropolitan Water Supply and
Sewerage Board,
No.1, Pumping Station Road,
Chintadripet, Chennai-600 002.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondent to publish the marks of the petitioner and the key answer in the Entrance exam conducted for the post of Assistant Engineer (Civil/Mechanical) on 24.09.2017 in pursuant to the notification of the respondent dated 04.02.2017.

For Petitioner	: Mr.R.Maheswaran
For Respondent	: K.Chellapandian, Additional Advocate General Assisted by Mr.Aayiram K.Selvakumar Additional Government Pleader

ORDER

The writ petition has been filed seeking a direction to publish the marks obtained by the petitioner in the entrance examination conducted for the post of Assistant Engineer (Civil/Mechanical) on 24.09.2017.

2.According to the petitioner, the respondent called for applications for appointment of Assistant Engineer and the petitioner was fully qualified for the same. As per the notification the selection has been made based on the weightage of marks. For academic records 65% weightage, for written examination 25% present weightage and for personal interview 10% weightage is given. After the examination, the respondent did not publish the marks in the Website hence, he filed the present writ



petition.

3. The respondent has filed a counter affidavit stating that they called for application for appointment of more than 113 appointment to the post of Assistant Engineer (Civil and Mechanical) and 45 post for Assistant Engineer (Electrical) as per the selection procedure laid down under Rule 6(C) of the Special Regulations of the Board for direct recruitment of the Assistant Engineers and called list of candidates from professional and executive employment officer and also through advertisement in newspapers. Totally 24,086 candidates applied through online for the post of Assistant engineering out of which 14,830 candidates attended the writ examination under Anna University. After the examination, the candidates were sortlisted under communal category, based on the ratio followed by the TNPSC as 1:3 where the vacancy in a particular communal category is 4 and below and at the ratio of 1:2 where the vacancies is 5 and above. Accordingly, 234 candidates in all categories of Assistant Engineer (Civil and Mechanical) were called for Certificate verification. The petitioner belongs to B.C.(non priority) category for which 12 vacancies out of which 24 candidates were called for based on the total weightage of marks in the academic written examination. Cut of mark for BC category is 73.100. So far as the petitioner is concerned the weightage mark secured by him in the academic is only 45.500. Even assuming that the petitioner has got 25% of weightage marks in the written examination, it will be less than the cut of marks fixed for the B.C. Category.

4. In the above circumstances, the petitioner was not called for certificate verification. In the entire examination conducted by the Anna University and by the Board, there is no practice of publishing the answer key and in this regard the respondent has filed an affidavit, which reads thus:-

"It is submitted that the reason for not disclosing the written examination marks before the interview is to prevent the candidates from canvassing for marks with interview committee for awarding more marks in the interview and also for protecting the interview committee from being influenced by other sources and also to enable the interview committee to act independently without being influenced by the marks obtained in the written test and judge the candidates on the basis of interview and award the marks. The whole object of interviewing candidates is to judge their eligibility or suitability independently without the influence of the marks obtained in the written examination. Hence, the disclosure of written examination marks before the interview will affect

the independency of the interview committee. "

5. It is now brought to the notice of this Court that the petitioner did not get the required cut of marks as fixed by the selection committee for B.C Category. Hence, he was not called for certificate verification. Since the publication of the marks obtained by the candidates will amount to affect the independent assessment by the committee, the committee is not following the practice of publishing the marks obtained by the candidates in website. In the above circumstances, the relief sought for by the petitioner cannot be granted. Accordingly, this writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar

To:

The Managing Director,
Chennai Metropolitan Water Supply and
Sewerage Board,
No.1, Pumping Station Road,
Chintadripet, Chennai-600 002.

+ 1 CC TO Mr.R.MAHESWARAN, ADVOCATE IN SR No. 48550

VSG/TA

TE/KKR/SAR-1 : 07/05/2018 : 3P/3C

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