



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **14.02.2020**

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.3034 of 2020

and

W.M.P. (MD) Nos.2559 and 2560 of 2020

Ashokkumar

... Petitioner

/vs./

1.The Chairman,

Tamil Nadu Uniformed Service Recruitment Board,
Pantheon Road, Egmore, Chennai.

2.The Member Secretary,

The Tamil Nadu Uniformed Service Recruitment Board,
Pantheon Road, Egmore, Chennai.

3.The Sub Committee,

The Tamil Nadu Uniformed Service Recruitment Board,
Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to undated impugned proceedings of the respondents published in the online portal of first respondent against the petitioner and consequential provisional selection list for Madurai Centre candidates towards the Common Recruitment for the posts of Grade II Police Constable, Grade II Jail Warder and Fireman 2019 and quash the same and consequently direct the respondents to appoint the petitioner as Grade II Police Constable/Grade II Jail Warder or Fireman.

For Petitioner : Mr.M.Eswaran

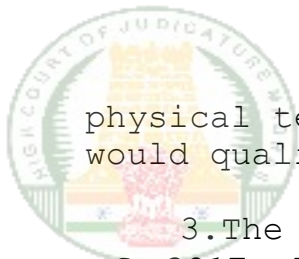
For Respondents : Mr.K.Chellapandian

Additional Advocate General
assisted by Mr.R.Sethuraman
Special Government Pleader

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.The petitioner, who belongs to MBC, had participated in the selection process for the post of Grade II Police Constable for the year 2019. His grievance is that the respondents had awarded 68 marks and that if the revaluation of the written exam as well as the



physical test is made, he would be entitled for further marks, which would qualify him for the selection.

3.The **Hon'ble Division Bench of this Court** in **W.A(MD).No.1465 of 2017 dated 28.03.2018** in the case of **M.Govindammal Vs., The Chairman, Tamil Nadu Uniformed Services Recruitment Board, Old Commissioner Police Office Campus, Pantheon Road, Egmore, Chennai-08**, has held that the High Court exercising its power under Article 226 of the Constitution of India cannot be a forum to either order for retest or re-appreciate the facts involved in the selection process.

4.However, if the petitioner is of the view that he would be entitled for any further marks, the appropriate remedy would be to approach the respondents seeking for such marks, by substantiating the grounds on which he is entitled for, which request can be made by way of the representation. However, the present request in the writ petition for grant of additional marks based on revaluation of the marks obtained either in the written examination or in the physical tests cannot be entertained. Needless to point out that such interference may also open floodgates to several unsuccessful candidates who may seek for grant of additional marks.

5.In the light of the above observations, the petitioner is at liberty to give a representation before the second respondent and on receipt of such representation, the second respondent herein shall consider it on its own merits and pass appropriate order in accordance with law atleast within a period of six weeks from the date of receipt of a copy of this order.

6.The Writ Petition stands disposed of accordingly. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

rmk

To:

1.The Chairman,
Tamil Nadu Uniform Services and Recruitment Board,
Old Commissioner of Police Office Campus,
Pantheon Road, Egmore, Chennai 600 008.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Director General of Police,
O/o., The Director General of Police,
Chennai 600 004.

3.The Superintendent of Police,
Sivagangai District,
Sivagangai.

+1 CC to MR.M.ESWARAN, Advocate (SR-6466[F] dated 14/02/2020)
+1 CC to SPL.GP (SR-6896[F] dated 18/02/2020)

Order made in
W.P. (MD) No.3034 of 2020
14.02.2020

MK (28.02.2020) 3P 6C