



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.12.2020

CORAM

THE HONOURABLE MR.JUSTICE **N.KIRUBAKARAN**

AND

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

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W.A. (MD)No.1156 of 2020
and
C.M.P. (MD)No.6323 of 2020

S.Veerakumar

... Appellant/ Petitioner

versus

1. The Secretary to the Government
of Tamil Nadu,
Home (Police) Department,
Fort St. George,
Chennai.

2. The Chairman,
Tamil Nadu Uniformed Service
Recruitment Board,
Old Commissioner of Police
Office Campus,
Pantheon Road,
Egmore, Chennai.

3. The Member Secretary,
Tamil Nadu Uniformed Service
Recruitment Board,
Old Commissioner of Police
Office Campus,
Pantheon Road,
Egmore, Chennai.

... Respondents/Respondents

Writ Appeal filed under Clause 15 of Letters Patent, against
the order dated 03.09.2020 passed in W.P.(MD)No.10789 of 2020.

Prayer in WP(MD) . 10789/ 2020 :

Writ Petition is filed under Article 226 of the
Constitution of India, praying this Court Pleased to issue Writ of
Certiorarified Mandamus to call for the records pertaining to the
Impugned Final Answer key as against Question No.52 in respect of C
Type question pertaining to the written examination held on
25.8.2019 of the Recruitment of the Grade-II Police Constables
(GR.II Jail Warders and Firemen-2019) the 2nd Respondent and Quash
the same as illegal and consequently direction directing the
Respondent No.2 to add that one mark into the Petitioners marks

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already obtained and subject the petitioner for Medical Examination and proceed further in accordance with law.

For Appellant : M/s.C.Venkatesh Kumar
For Respondents : Mr.K.Chellapandian,
Additional Advocate General
assisted by Mr.M.Muthugeethaiyan,
Special Government Pleader

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JUDGMENT

[Judgment of this Court was delivered by **N.KIRUBAKARAN, J.**]

The writ petitioner has come before this Court against the dismissal of the writ petition filed by him, challenging the Final Answer Key as against Question No.52 in respect of "C" Type question, pertaining to the written examination held on 25.08.2019 for recruitment of Grade II Police Constable (GR.II Jail Warders and Firemen - 2019) and consequently direct the respondent No.2 to add that one mark into his mark already obtained and subject him for Medical Examination and proceed further in accordance with law.

2. Heard Mr.C.Venkatesh Kumar, learned counsel for the appellant and Mr.K.Chellapandian, learned Additional Advocate General assisted by Mr.M.Muthugeethaiyan, learned Special Government Pleader appearing for the respondents.

3. The learned counsel for the appellant would submit that for the previous recruitment in the last year, the following question was asked:

79. தனித்து நிற்கும் எழுத்து எது என்பதை குறிக்கவும்
S B M E

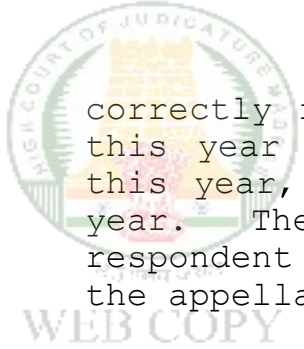
A) M B) B C) S D) E

and the answer was given as follows:

Q.No.	Question Booklet Series			
	A-SERIES	B-SERIES	C-SERIES	D-SERIES
79.	C	D	A	All Correct

The answer was given stating that all four letters namely, "S", "B", "M" and "E" were termed to be correct. However, the very same question was asked this year and for the same question, the letter "E" alone was shown to be a correct answer. The Respondent Recruitment Board cannot have two different answers. The appellant marked box-A which means that letter "M" is vowel. To the very same question, two different answers have been given and therefore, the appellant should also be given mark treating the answer given by him as correct.

4. However, it is a common knowledge that the vowels in English alphabets are "A, E, I, O, U". The respondent Board has



correctly fixed "E" as vowel, which has been stated in column No.D this year and therefore, the right key answer has been chosen in this year, irrespective of the fact, a wrong answer was fixed last year. The said wrong answer given last year cannot prevent the respondent Board to give the correct answer this year. Therefore, the appellant is not entitled to any relief.

5. Accordingly, the Writ Appeal is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

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/ /2021

Sub Assistant Registrar(CS)

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Secretary to the Government
of Tamil Nadu,
Home (Police) Department,
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+1 CC to M/s.Amjat Associates, Advocate (SR-26740[F] dated 22/12/2020)

+1 CC to GP (SR-26731[F] dated 21/12/2020)

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(MJ)
KV(15.02.2021) 4P 6C