



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**

WEB COPY

W.A. (MD)Nos.1169 to 1171 of 2020
and C.M.P. (MD)Nos.6362, 6364 and 6365 of 2020

- | | |
|-------------------|------------------------------------|
| 1. R.Ramnath | ... Appellant in |
| | W.A.(MD)No.1169 of 2020/Petitioner |
| 2. D.Jagadeswaran | ... Appellant in |
| | W.A.(MD)No.1170 of 2020/Petitioner |
| 3. K.Lakshmanan | ... Appellant in |
| | W.A.(MD)No.1171 of 2020/Petitioner |

versus

1. The Secretary to the Government
of Tamil Nadu,
Home (Police) Department,
Fort St. George, Chennai.
2. The Chairman,
Tamil Nadu Uniformed Services
Recruitment Board,
Old Commissioner of Police
Office Campus,
Pantheon Road, Egmore, Chennai.
3. The Member Secretary,
Tamil Nadu Uniformed Services
Recruitment Board,
Old Commissioner of Police
Office Campus,
Pantheon Road, Egmore, Chennai. ... Respondents in all W.As.
/Respondents

W.A. (MD)Nos.1169 of 2020: Writ Appeal filed under Clause 15 of Letters Patent, against the order dated 02.09.2020 passed in W.P. (MD)No.10745 of 2020.

W.A. (MD)Nos.1170 of 2020: Writ Appeal filed under Clause 15 of Letters Patent, against the order dated 02.09.2020 passed in W.P. (MD)No.10742 of 2020.

W.A. (MD)Nos.1171 of 2020: Writ Appeal filed under Clause 15 of Letters Patent, against the order dated 02.09.2020 passed in W.P. (MD)No.10749 of 2020.

**Prayer in WP(MD) . 10745/ 2020 :**

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned Final Answer Key as against Question No.64 in respect of A 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) vide Advertisement No.1/2019 on the file of 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 already obtained and subject me for medical Examintion and proceed further in accordance with law.

Prayer in WP(MD) . 10742 and 10749 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a 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) vide Advertisement No.1/2019 on the file of 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 already obtained and subject me for medical Examintion and proceed further in accordance with law.

For Appellants

in all W.As.

: Mr.C.Venkatesh Kumar

For Respondents

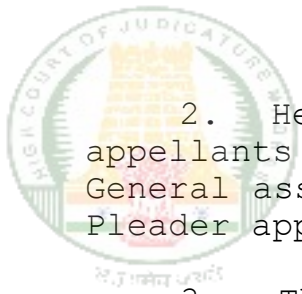
in all W.As.

: Mr.K.Chellapandian,
Additional Advocate General
assisted by Mr.M.Muthugeethaiyan,
Special Government Pleader

COMMON JUDGMENT

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

The writ petitioners have come before this Court against the dismissal of the writ petition filed by them, challenging the Final Answer Key as against Question No.52 in respect of "C" Type Question and Question No.64 in respect of "A" 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 appellants 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 appellants 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" are 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 for the very same question. The appellants herein answered that all the four letters stated are "Vowels". To the very same question, two different answers have been given and therefore, the appellants should also be given mark treating the answer given by them as correct.

4. However, it is a common knowledge that the vowels in English letters are "A, E, I, O, U". The respondent Board 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 has been fixed last year. The wrong answer cannot prevent the respondent Board to give the correct answer this year. Therefore, the appellants are not entitled to any relief.

5. Accordingly, all the Writ Appeals are dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

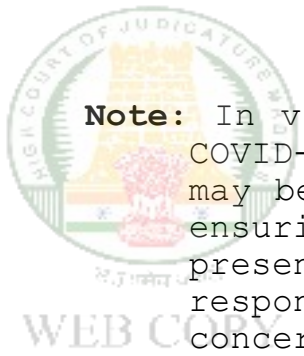
Sd/-

Assistant Registrar

// True Copy //

/ /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,
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.

+3 CC to M/s.Ajmal Associates, Advocate (SR-26743,26744 & 26745[F]
dated 22/12/2020)

+1 CC to GP (SR-26730[F] dated 21/12/2020)

WA(MD)Nos.1169 to 1171/2020

18.12.2020

(MJ)

KV(15.02.2021) 4P 8C