



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 30.12.2020**

**CORAM:**

**THE HONOURABLE MR.JUSTICE P.VELMURUGAN**

**W.P(MD)No.19963 of 2020**

**and**

**W.M.P(MD)No.16622 of 2020**

WEB COPY

M.Manivannan

... Petitioner

Vs.

1.The District Collector,  
Madurai District, Madurai - 20.

2.The Managing Director,  
Department of Cooperative Milk Produces Union,  
Muthuramalinganaar Salai,  
Nanthanam, Chennai - 35.

3.The General Manager,  
Aavin, the Madurai District Cooperative  
Milk Producers' Union Limited,  
Sivagangai Main Road, Sathamangalam,  
Madurai - 625 020.

... Respondents

**Prayer:** Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Declaration declaring the entire selection process in Notification No.3/2019 dated 19.06.2019 of the third respondent to fill up 62 posts of Senior Factory Assistant vacancies is illegal.

|                |                                                                                          |
|----------------|------------------------------------------------------------------------------------------|
| For Petitioner | : Mr.A.Jeyaram                                                                           |
| For R-1        | : Mr.K.P.Krishnadoss,<br>Special Government Pleader                                      |
| For R-2 & R-3  | : Mr.K.Chellapandian,<br>Additional Advocate General<br>assisted by<br>Mr.E.Mareeshkumar |

**ORDER**

The petitioner has filed the present writ petition to declare the entire selection process in Notification No.3/2019 dated 19.06.2019 of the third respondent to fill up 62 posts of Senior Factory Assistant as illegal.

2. The main contention of petitioner is that though the third respondent issued notification calling for applications for thirty (30) vacancies for the Post of Senior Factory Assistant, they have called for 62 persons for the interview, which is against the notification dated 19.06.2019.



3. The learned counsel for the petitioner would contend that before calling for the candidates to attend the interview, they have not published the 'Answer Key' in the website or any other mode and hence, the petitioner is not in a position to ascertain about the marks scored by him in the written examination. In these circumstances, the entire selection process is to be declared as illegal.

4. Mr.K.Chellapandian, learned Additional Advocate General assisted by Mr.Mareeskumar, learned standing counsel appearing for the respondents 2 and 3, would submit that the notification dated 19.06.2019 was issued for all the sixty two (62) Posts only for conducting written examinations and they have selected candidates at 1:10 ratio for interview. Thereafter, they have called for the candidates for interview, who secured marks, which comes within the ratio of 1:10. Therefore, there is no violation on the part of the respondents and the petitioner is not entitled for any relief.

5. Heard the submissions of both sides and perused the materials produced before this Court.

6. Admittedly, as submitted by the learned Additional Advocate General, the fact as submitted by the learned counsel for the petitioner, is not correct. They have published notification not only for thirty (30) candidates for the post of Senior Factory Assistant, as contended by the learned counsel for the petitioner, but for sixty two (62) posts under various categories. Therefore, the contention raised by the learned counsel for the petitioner is not sustainable.

7. The learned Additional Advocate General also produced a copy of the notification dated 19.06.2019, which shows that the notification was published calling for applications for 62 vacancies under various categories and the number of posts under 'Senior Factory Assistant' is thirty (30) and other thirty two (32) posts falls under other categories and after conducting written examination, the eligible candidates were called for interview as per communal roster and ratio.

8. At this juncture, the learned counsel for the petitioner would submit that the 'Answer Key' has not been published in the official website.

9. In reply, the learned Additional Advocate General would submit that the written examination was conducted by Bharathidasan University and they have to publish the results.

10. But, the fact remains that, after conducting written examination, either before publishing the results or soon after publishing the results, the Answer key has not been published in the



official website or in any other official publication.

11. Further, as already stated, the interview was conducted on 28.12.2020 and 29.12.2020 and the selection process was completed. However, as submitted by the learned counsel appearing on either side, the Answer Key was not published in the website or in any other official publication. Therefore, unless the Answer Key is published in the official website or in any other mode, the result of the interview for the post of Senior Factory Assistant, shall not be published by the third respondent. Therefore, the third respondent is restrained from publishing the result of the interview conducted on 28.12.2020 and 29.12.2020.

12. However, after publishing the Answer Key in the official website or in any other mode, the third respondent is at liberty to publish the results for the above said Post of Senior Factory Assistant.

13. With the above directions, the writ petition stands disposed of. No Costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Vacation Officer

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

**pm/vsn**

**To:**

- 1.The District Collector,  
Madurai District, Madurai - 20.
- 2.The Managing Director,  
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- 3.The General Manager,  
Aavin, the Madurai District Cooperative  
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Sivagangai Main Road, Sathamangalam,  
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+1 CC to M/s.GP ( SR-2[F] dated 04/01/2021 )

**W.P(MD)No.19963 of 2020**

**30.12.2020**

**(MJ) CO**

**AP(07/01/2021) 3P 5C**

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