



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.01.2021

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WEB COPY

THE HONOURABLE MR.JUSTICE **M.S.RAMESH**

W.P. (MD)No.4791 of 2020

and

W.M.P. (MD)No.4158 of 2020

S.Raguvaran

: Petitioner

Vs.

The Tamil Nadu Uniformed Services Recruitment Board,
represented by its Chairman,
Old Commissioner of Police Office,
Pantheon Road, Egmore, Chennai.

: Respondent

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, to direct the respondent herein to provide full grace marks for the question No.76 of the Booklet Series D of Written Competitive examination held for Common Recruitment of Grade II Police Constables, Grade-II Jail Wardens and Fireman-2019 and consequently, to consider the name of the petitioner in the 20% posts reserved for persons, who have studied Tamil as medium of instruction and include the petitioner in the provision selection list and appoint him to any of the posts of Grade-II Constable, Grade-II Jail wardens or Firemen.

For Petitioner

:No appearance

For Respondents

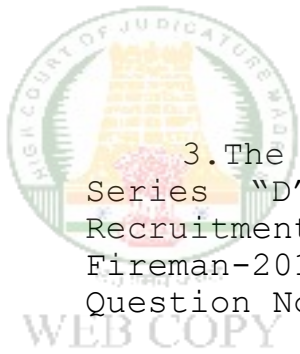
:Mr.K.Chellapandian

Additional Advocate General

ORDER

This Writ Petition has been filed for a direction to direct the respondent herein to provide full grace marks for the question No.76 of the Booklet Series D of Written Competitive examination held for Common Recruitment of Grade II Police Constables, Grade-II Jail Wardens and Fireman-2019 and consequently, to consider the name of the petitioner in the 20% posts reserved for persons, who have studied Tamil as medium of instruction and include the petitioner in the provision selection list and appoint him to any of the posts of Grade-II Constable, Grade-II Jail wardens or Firemen.

2.The learned Counsel for the petitioner is absent. Heard, Mr.K.Chellapandian, learned Additional Advocate General for the respondents.



3.The petitioner has disputed the question No.76 of the Booklet Series "D" of Written Competitive examination held for Common Recruitment of Grade II Police Constables, Grade-II Jail Wardens and Fireman-2019. According to the petitioner, the answer to the Question No.76 of the Booklet Series "D" is option "B".

4.The respondents herein have filed their written statement, in which, they stated that the answer to the Question No.76, in both preliminary answer key as well as final answer key, was option "D". It is also stated that the validity of this question was taken up before the Honourable Division Bench of this Court in W.A.(MD) No.1156 of 2020 and batch and the answer to Question No.52 in "C" series was ratified as option "D".

5.It is settled proposition that whenever question of facts of this nature come up for deliberation, it would not be appropriate for the Courts to exercise its power under Article 226 of Constitution of India, to re-examine such factual disputes. Such a proposition has also been held by the Honourable Division Bench of this Court in the case of **N.Gajendran vs the State of Tamil Nadu and others**, in **W.A. (MD)No.1295 of 2015**.

6.In this background, I do not find it appropriate to interfere with the questions and re-examine the final answer key. Accordingly, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

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/ /2021

Sub Assistant Registrar(CS)

Cmr

To:

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

+1 CC to SGP (SR-944[F] dated 18/01/2021)

W.P. (MD)No.4791 of 2020

08.01.2021

KUN (CO)

NR (03/02/2021) 2P : 3C

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