

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2022

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 9962 of 2017

and

W.M.P. Nos. 10958 and 10959 of 2017

V.Hemalatha

... Petitioner

-vs-

1. The Chairman cum Managing Director,
Tamil Nadu Generation & Distribution Corporation Ltd.,
10th Floorm NPKRR Maligai,
144, Anna Salai,
Chennai – 600 002.

2. The Chief Engineer/ Personnel,
8th Floor, Eastern Wing,
NPKRR Maligai,
Chennai – 600 002.

3. The Senior Personnel Officer/ Recruitment,
8th Floor, Eastern Wing,
NPKRR Maligai,
144, Anna Salai,
Chennai – 600 002.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus directing the Respondents to include the name of the Petitioner in the selection list to the post of Assistant Engineer/ Electrical (EEE) by direct recruitment 2015-2017 at Serial No. 3 on the file of the Second Respondent.

For Petitioner : Mr. R.Bharanidharan

For Respondents : Mr. P.Subramanian

O R D E R

Heard Mr. R.Bharanidharan, Learned Counsel for the Petitioner and Mr. P.Subramanian, Learned Counsel for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The Respondents had issued notification dated 28.12.2015 inviting applications through on-line for filling up the post of Assistant Engineer and the Petitioner had applied for the same. It is the case of the Petitioner that it had been reflected in the official website of the Respondents that she had secured 58.333 marks in the written test and had been called for interview on 13.03.2017 and though she had performed well, she had not been selected and that she came to know on subsequent verification made by her that her marks in the written test have been reduced to 11.333 marks in the official website of the Respondents, meaning thereby that she was not eligible to be considered for appointment. In that backdrop, the Writ Petition has been filed for directing the Respondents to include her name in the list for the post of Assistant Engineer by direct recruitment.

3. The Respondents have filed Counter-Affidavit dated 04.07.2017 denying the contentions of the Petitioner and have asserted that she had secured 11.333 only and had not been sent any call letter for interview as claimed by her. Since the dispute relates to the actual marks obtained by the Petitioner in the written test, this Court during the earlier hearing on 20.06.2022 had required the Respondents to produce her answer-sheet along with its evaluation to ascertain the correctness of the version of the Petitioner and in furtherance thereto, the Respondents have placed on record the attested copy of the OMR sheet and the answer-book which doest not contain any specific evaluation made. However, it has been mentioned in the mark list produced along with the same that the Petitioner has secured 11.333 marks which does not fall within the cut-off limit so as to be entitled for selection to that post.

4. Learned Counsel for the Petitioner disputes the correctness of the evaluation of the marks of the Petitioner and reserves her right for applying for the copy of the OMR sheet and pursue for further action as per law. In such circumstances, though the Petitioner cannot be granted the relief sought in the Writ Petition, it is made clear that she is not precluded from working out her rights before the proper forum in the manner recognized by law.

In fine, the Writ Petition is dismissed with the aforesaid observations.

Consequently, the connected Miscellaneous Petitions are closed. No costs.

12.07.2022

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Index: Yes/No

Note: Issue order copy by 26.07.2022.

To

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P.D. AUDIKESAVALU, J.

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