



W.P.No.19762 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2022

CORAM

THE HON'BLE **MR.JUSTICE C.SARAVANAN**

W.P.No.19762 of 2017

R.S.Senthil Kumar

... Petitioner

Vs.

1. Union of India,
Represented by its Secretary,
Ministry of Defence – Government of India
South Block, Cabinet Secretariat,
Raisina Hill,
New Delhi – 110 001.

2. Public Information Officer,
The Chief Engineer,
Chennai Zone (CPIO),
Island Grounds,
Chennai – 600 009.

3. First Appellate Authority,
The Chief Engineer,
Southern Command,
Pune – 411 001.

4. The Central Information Commission,
Room No.315 B Wing,
Bhikaji Kama Place,
New Delhi – 110 066.

... Respondents



W.P.No.19762 of 2017

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus, directing the fourth respondent herein to dispose of petitioner representation dated 28.10.2016 and consequentially direct them to furnish / provide the photo copies of evaluated answer sheets and text key answers of the same to the Petitioner.

For Petitioner : No Appearance

For Respondents : No Appearance

ORDER

Today, when the case is taken up for hearing, there is no representation on behalf of the petitioner and the respondents.

2. This writ petition has been filed for the issuance of a Writ of Mandamus to direct the fourth respondent herein to dispose of his representation dated 28.10.2016 and consequentially direct them to furnish / provide the photo copies of evaluated answer sheets and text key answers of the same to the Petitioner.

3. The specific case of the petitioner is that the petitioner participated in the selection of process of the first respondent vide notification for employment to the post of Supervisor (B/S) in the Department of MES, (Ministry of Defence – Government of India). The petitioner appeared for the examination on 14.06.2016 and was thereafter not called for an interview.



W.P.No.19762 of 2017

WEB COPY

4. The case of the petitioner is that the petitioner has answered the questions in the examinations held pursuant to the aforesaid recruitment notification held by the recruiting authority namely the Chief Engineer, Central Zone (CPIO), Chennai/second respondent herein.

5. Under these circumstances, the petitioner has been sending repeated representations to the respondents which has not evoked any positive response from the respondents. Hence, the petitioner filed this writ petition.

6. The petitioner has placed reliance on the decision of the Hon'ble Supreme Court in Civil Appeal No.6454 of 2011.

7. In the counter filed on behalf of the second respondent, it is stated that the writ petition is devoid of merits and is liable to be dismissed.

8. A reference is made to Serial Number 46 to the recruitment notification, as per which the decision of the recruitment authority in all matters relating to eligibility acceptance or rejection of the application,



W.P.No.19762 of 2017

penalty for false information, board of selection, conduct of examination(S) and interviews, allotment of examination centers, selection and allotment of post/command/CsWE to selected candidates will be final and binding on the candidates and no enquiry/correspondence will be entertained in this regard.

9. It is further submitted that list of the eligible candidates were called for an interview and call letters were despatched and since, the petitioner did not get the call letter, the petitioner approached this Court though he has scored lower marks in the written examination.

10. It is further submitted that the petitioner could not be interviewed as the petitioner did not qualify in the written examination.

11. That apart, it is submitted that the recruitment process is complete in all respect and that the answer sheet of the applicant along with the answer key have been provided to the petitioner by the Headquarters Chief Engineer, Chennai Zone.



W.P.No.19762 of 2017

12. The relevant portion from paragraph 11 of the Counter Affidavit is

reproduced below:

“I humbly submit that as the recruitment process was already completed, the answer sheet of the applicant along with answer key have already been provided to Shri RS Senthil Kumar vide Headquarters Chief Engineer, Chennai Zone, letter No.10663/RTI/Appln/274/E1A dated 30.07.2018 and 10663/RTI/Appln/275/E1A dated 24.09.2018 as per existing rules and regulations.”

13. It is further submitted that the fourth respondent held in hearing on 03.08.2017 which was both attended by the petitioner and the Chief Engineer, Chennai Zone (CPIO).

14. It is further submitted that the Central Information Commission (CIC) has given a decision after hearing both the parties in favour of the department vide its proceedings dated 03.08.2017 bearing reference: CIC Letter No.CIC/ARMY/A/2017/183201/SD along with the copy of the letter dated 03.18.2017.



W.P.No.19762 of 2017

15. Thus, it appears that the petitioner got the relief during the pendency of the present writ petition. It is perhaps on account of this, there is no representation either on behalf of the petitioner and the respondents. The writ petition is therefore liable to be dismissed and is accordingly dismissed.

16. With these observations, the writ petition stands dismissed as infructuous. No costs.

12.10.2022

Index : Yes/No
Internet : Yes/No
Speaking/Non-speaking Order
rgm



W.P.No.19762 of 2017

To
WEB COPY

1. Union of India,
Represented by its Secretary,
Ministry of Defence – Government of India
South Block, Cabinet Secretariat,
Raisina Hill,
New Delhi – 110 001.
2. Public Information Officer,
The Chief Engineer,
Chennai Zone (CPIO),
Island Grounds,
Chennai – 600 009.
3. First Appellate Authority,
The Chief Engineer,
Southern Command,
Pune – 411 001.
4. The Central Information Commission,
Room No.315 B Wing,
Bhikaji Kama Place,
New Delhi – 110 066.



WEB COPY



W.P.No.19762 of 2017

C.SARAVANAN, J.

rgm

W.P.No.19762 of 2017

12.10.2022