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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19.10.2024

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.28723 of 2024

Nandhakumar

..Petitioner

Vs.

1. The Principal Executive Director (REC)/RRB Secretary,
Office of the Railway Recruitment Control Board,
Ministry of Railway,
FROA Office, Rail Bhavan
Raisina Road,
New Delhi – 110 001.

2. The Secretary,
Office of the Railway Recruitment Board, Chennai,
Dr.P.V.Cherien Crescent Road,
Egmore, Chennai – 600 008

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to consider my second application bearing registration No.J42410168923PM as my original application and further not to debar the petitioner from appearing for the other



exams applied through my original mail id nandhakumar12071997@gmail.com
by considering the petitioner representation dated 13.09.2024.

For Petitioner : Mr.C.Iyappa Raj
For Respondents : Mr.S.Diwakar
Central Government Senior Panel counsel
for R1 and R2

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondents to consider the 2nd application that was submitted by the petitioner for appointment to the post of Field worker / Health and Malaria Inspector Grade III and for a further direction not to debar the petitioner from appearing for the examination by considering the representation made by the petitioner on 13.09.2024.

2. The case of the petitioner is that the Railway Recruitment Board issued a notification dated 17.08.2024 calling for application to fill up various posts. The petitioner submitted his on-line application on 01.09.2024. While doing so, some mistakes had crept in the application. In view of the same, the petitioner submitted yet another application by making the corrections. The



grievance of the petitioner is that if a candidate submits more than one application, the same will be rejected and such candidate will be debarred from all future examination. It is under these circumstances, the present writ petition has been filed before this Court for a direction to the respondents to consider the 2nd application submitted by the petitioner through on-line mode and to permit the petitioner to appear for the examination and participate in the selection process.

3. The 2nd respondent has filed a counter affidavit. The 2nd respondent has taken a very specific stand that there is an explicit bar mentioned in the notification wherein a candidate cannot submit more than one application for participation in the appointment process. However, the petitioner has managed to submit two applications and the particulars of the two applications are tabulated as follows :-

Sl.No.	Description	First Application	Second Application
1.	Mobile Number	9788485331	7339160712
2.	Email	Nandakumar12071997@gmail.com	d.nandhakumar17@gmail.com
3.	Post Applied	Cat 5 (SR)	Cat 6 (SR), Cat 5 (SR)



Sl.No.	Description	First Application	Second Application
4.	Date of passing Matriculation / 10 th / SSLC	May 9,2012	June 4,2012
5.	Caste Certificate Date of issue	21.09.2021	15.09.2021

4. The respondents have taken a further stand that even if there is a mistake in the first application, clause 15 of the notification specifically provides for modification of application. Hence, after the final submission, if a candidate wishes to further modify/change or correct any details, he /she can do so by paying a modification fees. It is stated that the petitioner without availing this facility has attempted to submit two applications. It has also been stated in the counter affidavit that the petitioner had previously applied for participating in the examinations conducted by the Board atleast on four occasions. Therefore, the petitioner was very well aware about the various clauses that are specified in the notification and inspite of the same, intentionally, the petitioner has submitted two applications. In view of the same, in the light of clause 16, the application submitted by the petitioner is liable to be summarily rejected and the petitioner will also be debarred from all future examinations. Accordingly, the respondents have sought for the



dismissal of this writ petition.

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5. Heard Mr.C.Iyappa Raj, learned counsel for the petitioner and Mr.S.Diwakar, learned Central Government Senior Panel counsel for respondents 1 and 2.

6. The only issue that arises for consideration is as to whether the respondent board must be directed to process the 2nd application filed by the petitioner and permit the petitioner to participate in the examination and in the further appointment process.

7. It will be relevant to take note of clause 16 of the notification and for proper appreciation, the same is extracted hereunder :-

16.0 INVALID APPLICATIONS/REJECTIONS:

(a) Online applications will be liable for rejection on the following grounds amongst others:

- i) Multiple applications to different RRBs or same RRB. In such case, all the applications will be rejected summarily and such candidates will be debarred from all future RRB and RRC exams.***
- ii) Invalid photo (i.e.. not as per prescribed specifications) such as poor resolution, full body view, only side view, unrecognizable facial***



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- features, photocopied photograph, group photo tilted/inverted image, etc.*
- iii) Invalid signature (i.e. not as per prescribed specifications) such as use of block/capital letters instead of running hand-writing, poor resolution, incomplete image, etc.*
 - iv) Candidate's name figuring in the debarred list of any RRB/RRC.*
 - v) Any other irregularity.*

(b) Rejected Applications: Details of rejected applications can be viewed on the website of the RRB concerned by logging in, along with the reason(s) for rejection which will be final and binding and no further correspondence shall be entertained on the subject. No refund of examination fee will be made on account of rejection of applications. SMS and e-mail alerts shall also be sent to the candidates on their registered mobile numbers and e-mail IDs. Candidates will not be intimated by post.

8. On a careful reading of the above clause, it can be seen that whenever a candidate submits more than one application / multiple applications, the candidature is liable to be summarily rejected. Apart from the same, it is also provided that such candidate will be debarred from all future examinations.

9. In the instant case, the petitioner has admittedly submitted more than one application. The 2nd application has been submitted from a different email id and various modifications have been made.

10. The stand taken by the petitioner is that some inadvertent error had crept in when the first application was submitted and therefore, the petitioner



after carrying out corrections submitted the 2nd application.

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11. For dealing with the above stand taken by the petitioner, it will also be relevant to take note of clause 15 of the notification, which is extracted hereunder :-

15.0 MODIFICATION OF APPLICATION:

(a) After the final submission of the ONLINE application, if a candidate wishes to further modify, change or correct any detail except details filled in 'Create an Account' form (including mobile number and Email ID) and Chosen RRB, he/she may do so by paying a modification fee of Rs. 250/- (non-refundable) for each occasion. Details filled in 'Create an Account' form (including mobile number and Email ID) and Chosen RRB cannot be changed.

(b) The modification fee is to be paid by all candidates irrespective of community and category.

(c) In the case of a candidate modifying his community from SC/ST to UR or OBC or EWS, he will have to pay the difference in examination fee i.e. Rs.250 in addition to the modification fee. In case of failure to do so, his modified application will not be accepted.

(d) Similarly, if a candidate is switching from Ex.SM/PwBD to UR/OBC (NCL)/EWS/Non Ex.SM/Non PwBD etc., he will have to pay the difference in examination fee i.e. Rs.250 in addition to the modification fee. In case of failure to do so, his modified application will not be accepted.

(e) Modifications of ONLINE application will be allowed any number of times on payment of the modification fee for each occasion.

(f) ONLINE Modifications to the ONLINE application, along with the payment of the modification fee, will be permitted up to 10 (ten) days after



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the closing date and time for submission of applications, i.e. 16.09.2024 (23:59 hrs) for this CEN. The modification window will remain open from 17.09.2024 to 26.09.2024. After this period, RRBs shall not entertain any representation for modification of the information furnished in the application.

12. On a combined reading of clause 15 and 16 of the notification, it is pelucid that a candidate cannot submit more than one application in the selection process. If that is done, the candidature is liable to be summarily rejected. If any mistakes have crept-in, the petitioner always had the opportunity to modify / change/ correct any details by virtue of clause 15. Hence, if really the petitioner wanted to correct the error in the first application, the petitioner ought to have adopted the procedure under clause 15. Without doing so, the petitioner has submitted a fresh application. In view of the same, the candidature of the petitioner is liable to be rejected in accordance with the notification. The petitioner is bound by the terms of the notification and therefore, he cannot wriggle out of the responsibility that has been cast upon him by the notification.

13. The next issue is as to whether the petitioner has to be debarred from participating in all future examinations conducted by the RRB and RRC.



14. It is true that the petitioner is not submitting an application for the first time. He had already participated in the selection on four earlier occasions. That apart, even in the present selection, he had applied for four different posts apart from the present application. Therefore, the petitioner is expected to be aware of the terms of the notification issued by the Board. If the petitioner really wanted to misuse the 2nd application and participate in the selection by utilizing both the applications, the petitioner would have kept quiet. The fact that the petitioner has approached this Court and sought for a relief shows that the petitioner had committed some mistake while submitting the first application. Without adopting the proper procedure, the petitioner has submitted the 2nd application also. For this mistake, it will not be fair to debar the petitioner from all future examinations conducted by RRB and RRC.

15. In view of the above, it is made clear that the petitioner will not be permitted to participate in this selection process for the post concerned by virtue of the two applications submitted by him in violation of the terms of the notification. However, the petitioner will not be debarred from participating in future examinations conducted by RRB and RRC, if he is otherwise qualified.



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16. This writ petition is disposed of in the above terms. No costs.

19.10.2024

Internet : Yes/No

Index : Yes/No

Speaking Order / Non Speaking Order

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N. ANAND VENKATESH, J.

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