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W.P.(MD) No.4197 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD) No.4197 of 2017

and

W.M.P.(MD) No.3347 of 2017

A.Sheela

... Petitioner

-VS-

- 1.The University Grants Commission
rep.by its Chairman
Bahadur Shah Zafar Marg
New Delhi-110 002
- 2.The State of Tamil Nadu
rep.by its Secretary
Department of Higher Education
Fort St.George, Chennai-600 009
- 3.The Member Secretary
(Tamil Nadu State Eligibility Test) &
Controller of Examination
Mother Teresa Women's University
Kodaikanal-624 101

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of declaration declaring the Key Answer to the Question No.3 in Paper III as incorrect in so far as the petitioner is concerned and award the full two marks to the petitioner for the Question No.3 in Paper III.

For Petitioner : Mr.A.Ruban Babu
for Mr.T.Cibi Chakraborty

For Respondents : No appearance for R1 & R3
Mr.T.Amjad Khan
Government Advocate for R2

ORDER

This matter is listed today under the caption “for dismissal”.

2. Learned counsel appearing for the petitioner reports no instructions in this matter and he has also made an endorsement to that effect in the court bundle.

3. The petitioner seeks for a declaration that the answer to a question is incorrect. She participated in an examination and has questioned the declaration of the correct answer, as according to her, the correct answer



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is different. This writ petition is of the year 2017 and the examination pertains to the year 2017. Since the learned counsel appearing for the petitioner is reporting no instructions in this matter, it can be inferred that the petitioner is not interested in prosecuting this writ petition. It is also settled law that when the Expert Body decides that the particular answer is correct, this Court sitting under Article 226 of the Constitution of India cannot adjudicate with regard to the correctness of the answer.

4. Without going into the merits of the matter, in view of the fact that the petitioner is not interested in prosecuting this writ petition, this writ petition is dismissed for non-prosecution. No costs. Consequently, connected miscellaneous petition is closed.

27.08.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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To:
The Secretary,
Department of Higher Education,
State of Tamil Nadu,
Fort St.George, Chennai-600 009.

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ABDUL QUDDHOSE, J.

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