



W.A.No.2383 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated: 07.03.2025

Coram:

**THE HON'BLE MR.JUSTICE S.S.SUNDAR
and
THE HON'BLE MR.JUSTICE C.SARAVANAN**

**W.A.No.2383 of 2022
and C.M.P.No.18172 of 2022**

K.Gomathi

...Appellant

Versus

Tamil Nadu Uniformed Service
Recruitment Board,
Rep. by its Chairman cum Director
General of Police,
Old COP Office Campus,
Pantheon Road, Egmore,
Chennai – 600 008.

...Respondent

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent praying to set aside the order passed in W.P.No.11846 of 2021 dated 05.04.2022 and allow the writ appeal.

For Appellant : M/s.M.Kavitha Rameshwar

For Respondent : Mr.P.Kumaresan,
Additional Advocate General
Assisted by
Mr.J.Lenin,
Standing Counsel



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JUDGMENT

(Judgment of the Court was delivered by **C.SARAVANAN, J.**)

This Intra Court Appeal is preferred against the impugned order dated 05.04.2022 passed by the Writ Court in W.P.No.11846 of 2021.

2. The Appellant/Writ Petitioner had preferred the aforesaid Writ Petition W.P.No.11846 of 2021 for the following relief:-

“For issuance of a writ of certiorarified mandamus to call for the records of the Respondent in its Sub-Inspector of Police – 2019 Provisional Selection List of Department Candidates for Character and Antecedents Verification & Medical Examination – 2019 dated Nil published through Online dated 15.04.2021 of the respondent and to quash the same as being illegal and unsustainable in law and for a consequential direction to award one mark (0.5 + 0.5 marks) to the petitioner for Question No.23 & 53, B-Series Question type, department candidate based on the One Man Committee report dated 22.01.2021 and order of this Court in W.P.(MD).No.197 of 2021 dated 16.02.2021 and include the petitioner name in the final Sub-Inspector of Police-2019 Provisional selection list of department candidates for character and antecedents verification & Medical Examination 2019 and pass such and further orders which may deem fit and proper and thus render justice”.

3. By the impugned order dated 05.04.2022, the Writ Court dismissed the W.P.No.11846 of 2021 filed by the Appellant/Writ Petitioner



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with the following observation:

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“8. In the present case on hand, the petitioner has not approached this Court immediately after the key answer was published and has not raised objections before the respondent. Now, the petitioner has challenged the key answer and is seeking relief on the ground that similarly placed candidates have approached this Court and obtained favourable orders. The petitioner has been a fence sitter and has watched the proceedings. After the revised rank list was published, she has belatedly approached this Court.

9. The High Court of Delhi in the case of Union of India and others vs. Sandeep Kumar Swaroop and others (Writ Petition (Civil) No. 9413 of 2016 dated 01.09.2017) has held that delay and laches as well as acquiescence can be a ground to deny benefit to fence sitters. Those who do not approach the Court in a timely and prompt manner can be denied “equal treatment”.

10. In the light of the aforesaid decision and considering the statement made in the counter affidavit, the petitioner is not entitled for the post of Sub-Inspector of Police. Therefore, there is no merit in the instant writ petition.

11. Accordingly, the writ petition stands dismissed. Consequently, the connected miscellaneous petitions are closed. No costs”

4. The brief facts of the case is that the Appellant/Writ Petitioner joined the Respondent Board as a 'Grade II Women Police Constable' in the Armed Reserve (AR) category in the year 2013 on 18.02.2013.

5. During the year 2019, the Respondent Board had published a Recruitment Notification No.2 of 2019 dated 08.03.2019 for selection of candidates to the post of 'Sub-Inspector of Police' for 2019 batch. In the



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aforesaid Recruitment Notification, the Respondent Board called for recruitment from three categories to the post of Sub-Inspector of Police viz., 660 posts in 'Taluk', 276 posts in 'Armed Reserve (AR)' and 33 posts in 'Tamil Nadu Special Police'.

6. Pursuant to the aforesaid Recruitment Notification, the Appellant/Writ Petitioner who belongs to the 'BC Community' and from the Armed Reserve (AR) category had applied to the post of 'Sub-Inspector of Police' on 10.04.2019 under departmental candidates quota. The 'Written Examination' to the post of 'Sub-Inspector of Police' for 2019 batch for departmental candidates was held on **13.01.2020**, in which, the Appellant/Writ Petitioner had scored 63 marks. The Petitioner was subsequently called for the 'Endurance Test'.

7. Pursuant to the 'Endurance Test', the Appellant/Writ Petitioner was also called for Viva-Voce. The Appellant/Writ Petitioner had reportedly scored 8 marks. Thus, Appellant/Writ Petitioner had scored a total of 71 marks in the aforementioned qualifying tests to the post of 'Sub-Inspector of



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Police'.

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8. On 16.03.2020, the Respondent Board had published the Selection list of successful candidates for 'Endurance Test' based on the marks scored in the Written Examination held on 13.01.2020 for departmental candidates to the post of 'Sub-Inspector of Police' for 2019 batch.

9. Six of the candidates who appeared in the aforesaid Written Examination along with the Appellant/Writ Petitioner had separately filed Writ Petitions in W.P.(MD)Nos.197 of 2021, 13799, 8702, 8682, 12377 & 12378 of 2020 before the Madurai Bench of this Court, wherein, they challenged the 'Answer Key' published by the Respondent Board.

10. There they had disputed the final Answer Key to questions in the Written Examination held for selection to the post of 'Sub-Inspector of Police' for 2019 batch with regard to answers to the following questions:-

- (i) Question Nos.77 & 148 in Question Booklet 'A' Series
- (ii) Question Nos.53 & 120 in Question Booklet 'B' Series
- (iii) Question Nos.2, 120 & 129 in Question Booklet 'D' Series



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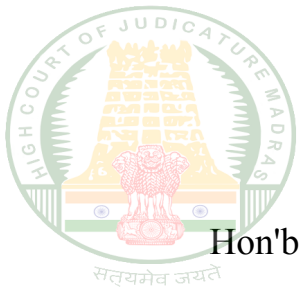
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11. By a Common Order dated **16.02.2021**, the Madurai Bench of this Court disposed the aforesaid Writ Petitions in W.P.(MD).Nos.197 of 2021, 13799, 8702, 8682, 12377 & 12378 of 2020 with the following observation:

“7. The Member Secretary, Tamil Nadu Uniformed Service Recruitment Board, shall endeavour to prepare to reevaluate the answer sheets, in comparison with the One Man Committee's report and release the revised selection list, at least within a period of eight weeks from the date of receipt of a copy of this order

8. Since the Notification dated 08.03.2019 and the final key answer was floated on 16.03.2020 and further that this Court has taken into consideration the grievances of all the petitioners and referred the issue of re-valuation to a One-Man Committee, any further consideration of similarly placed candidates will not be proper. Hence, it is made clear that this Court will not entertain any more claim for re-valuation of any other questions, in the written examinations. All these writ petitions stand ordered accordingly. No costs. Consequently, the connected Miscellaneous Petitions are closed.”

12. Prior to passing the aforesaid Common Order dated 16.02.2021, the Madurai Bench of this Court in W.P.(MD).Nos.197 of 2021, 13799, 8702, 8682, 12377 & 12378 of 2020 had appointed a 'One-Man Commission' on 08.01.2021 in view of the decision rendered by the



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Hon'ble Supreme Court in *H.P.Public Service Commission Vs. Mukesh*

Thakur & Ors. (2010) 6 SCC 759, for the purpose of examining and evaluating the correct answers for the aforesaid questions in the Written Examination held for selection to the post of 'Sub-Inspector of Police'.

13. In accordance with the direction of the Court, the said 'One Man Commission' submitted a **Report** dated **22.01.2021**, wherein, the 'One Man Commission' opined as under:-

- i. *Question 2 in D Series:*
By which Amendment Act number of seats of Lok Sabha increased from 525 to 545?
A) The Constitution (Thirty-First Amendment) Act, 1973
- ii. *Question 120 in D Series:*
Can the Diary Proceedings in the investigation be considered as evidence during trial?
B) No (not as evidence in the case)
- iii. *Question 129 in D Series:*
Under Section 176 Cr.P.C Magistrate is empowered to conduct an inquiry into the following offences?
C) Both A) and B)
- iv. *Question 53 in B Series:*
Can the Diary Proceedings in the investigation be considered as evidence during trial?
B) No (not as evidence in the case)
- v. *Question 120 in B Series:*
In complaint of theft of an article, which value is less than ten rupees?



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vi.

Question 77 in A Series:

Can the Diary Proceedings in the investigation be considered as evidence during trial?

A) No (not as evidence in the case)

vii.

Question 148A Series:

In complaint of theft of an article, which value is less than ten rupees?

A) The Police should Register a Case and investigate”

14. As far as the present case is concerned, we are concerned with **Question No.23** in '**B**' Series Question Booklet which corresponds to **Question No.2** in '**D**' Series Question Booklet which was the subject matter of the aforesaid decision of the Madurai High Court in the above mentioned case. Apart from the above question, we are also concerned with **Question Nos.53 & 120** in '**B**' Series Question Booklet which were also the subject matter of Lis before the Writ Court in Madurai in the above mentioned Writ Petition.

15. It is the contention of the learned counsel for the Appellant/Writ Petitioner, that despite **Report** dated **22.01.2021** of the One Man



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Commission appointed by the Court in the aforesaid Writ Petition, the Appellant/Writ Petitioner was not awarded any additional marks by the Respondent Board for Question No.23 & 53 in 'B' Series Question Booklet and therefore, the name of the Appellant/Writ Petitioner was not included in the Provisional Selection List of departmental candidates published on 15.04.2021. It is submitted that if 0.5 marks are awarded for each of these two questions, the Appellant/Writ Petitioner would have been entitled to 1 mark extra in the qualifying tests.

16. It is submitted that the Respondent Board had fixed the cut-off marks in the qualifying tests for women candidates belonging to BC community serving in AR category to be eligible to the post of 'Sub-Inspector of Police' as '71 marks'. It is submitted that if 1 mark was awarded, the total marks of the Appellant/Writ Petitioner would have been 72 (71 + 0.5 + 0.5). Therefore, the Appellant/Writ Petitioner would have been entitled for promotion to the post of 'Sub-Inspector of Police' for 2019 batch.



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17. It is submitted that since the Appellant/Writ Petitioner was not awarded additional 1 mark in the qualifying tests, preference was given to those candidates who had secured the same cut off marks of '71' in the qualifying tests based on their age/date of birth by the Respondent Board.

18. In other words, it is the contention that the Appellant/Writ Petitioner was not given the preference to the post of 'Sub-Inspector of Police' for 2019 batch for being younger in age among other candidates who had secured the same cut off marks of '71' for selection to the post of 'Sub-Inspector of Police' before the Order of the Writ Court in the aforesaid Writ Petition.

19. It is in this background, Appellant/Writ Petitioner filed W.P.No.11846 of 2021 since the name of the Appellant/Writ Petitioner was not published in the Provisional Selection List released by the Respondent Board to the post of 'Sub-Inspector of Police' for 2019 batch.

20. In the Writ Petition, it was the contention of the Appellant/Writ



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Petitioner that the Appellant/Writ Petitioner would be entitled to 0.5 marks each for Question Nos.23 & 53 'B' Series Question Booklet based on the One Man Commission's Report dated 22.01.2021 and the Order dated 16.02.2021 of the Madurai Bench of this Court in W.P.(MD)Nos.197 of 2021, 13799, 8702, 8682, 12377 & 12378 of 2020.

21. It is submitted that the Writ Court however dismissed the Writ Petition filed by the Appellant/Writ Petitioner vide impugned order dated 05.04.2022 without proper reason. Aggrieved over the same, the Appellant/Writ Petitioner has preferred this Writ Appeal.

22. The learned counsel for the Appellant/Writ Petitioner further submitted that as per the One Man Commission's Report dated 22.01.2021, the correct answer for **Question No.2 in 'D' Series Question Booklet** which corresponds with **Question No.23 in 'B' Series Question Booklet** is option (A) viz., **“The Constitution (Thirty First Amendment) Act, 1973”**. However, all the four options given by the Respondent Board for Question No.2 in 'D' Series Question Booklet corresponding to Question No.23 in 'B'



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Series Question Booklet were incorrect. Hence, the Appellant/Writ Petitioner was entitled to 0.5 marks for the above question in the Written Examination.

23. The learned counsel for the Appellant/Writ Petitioner further submitted that as per the One Man Commission's Report dated 22.01.2021, the correct answer for Question No.53 in 'B' Series Question Booklet is option (B) i.e., “No”. The Appellant/Writ Petitioner had also opted for option (B) i.e., “No”. However, no additional marks were awarded to the Appellant/Writ Petitioner for Question No.53 in 'B' Series Question Booklet. Therefore, the Appellant/Petitioner would be additionally entitled to 0.5 marks for Question No.53 in 'B' Series Question Booklet in the Written Examination.

24. It is therefore submitted that the Appellant/Writ Petitioner was entitled to 0.5 marks each for Question Nos.23 & 53 in 'B' Series Question Booklet. In other words, it is the case of the Appellant/Writ Petitioner that the Appellant/Writ Petitioner was entitled to **(71 + 0.5 + 0.5) = 72 marks** in

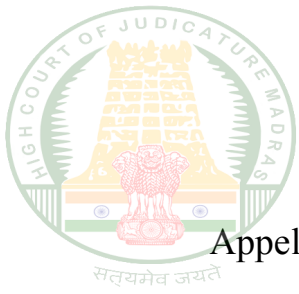


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the Written Examination held for selection to the post of 'Sub-Inspector of Police' for 2019 batch.

25. It is submitted that as per the cut-off marks fixed by the Respondent Board, the Appellant/Writ Petitioner had scored 71 marks, but, the name of the Appellant/Writ Petitioner was not included in the Provisional Selection List of Departmental Candidates to the post of 'Sub-Inspector of Police' for batch 2019 due to the age seniority ranking among other candidates who had scored the same cut off marks in the qualifying tests.

26. Therefore, it is submitted by the learned counsel for the Appellant/Writ Petitioner that if the Respondent Board re-evaluates the answer sheets based on the One Man Commission's Report dated 22.01.2021 and Order dated 16.02.2021 in W.P.(MD)Nos.197 of 2021, 13799, 8702, 8682, 12377 & 12378 of 2020 passed by the Madurai Bench of this Court, the Appellant/Writ Petitioner would be entitled to 0.5 mark each for Question Nos.23 & 53 in Question Booklet Series 'B', thereby, the



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Appellant/Writ Petitioner would score 72 marks in total and also, would be eligible for being selected to the post of 'Sub-Inspector of Police' for 2019 batch over other candidates who scored 71 marks in the qualifying tests.

27. The learned counsel for the Appellant/Writ Petitioner has placed reliance on the following decisions of the Hon'ble Supreme Court:

(i) *Rishal & Ors. Vs. Rajasthan Public Service Commission & Ors.*
MANU/SC/1642/2018

(ii) *Rajesh Kumar & Ors. Vs. State of Bihar & Ors. (2013) 4 SCC 690*

28. Defending the impugned order dated 05.04.2022 passed by the Writ Court in W.P.No.11846 of 2021, the learned Additional Advocate General for the Respondent Board submitted that the impugned order of the Writ Court does not warrant interference in the hands of this Court.

29. The learned Additional Advocate General submitted that the Respondent Board had published the Provisional Selection List of Departmental Candidates to the post of 'Sub-Inspector of Police' on 15.04.2021 pursuant of One Man Commission's Report dated 22.01.2021.



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WEB COPY 30. Hence, no additional marks were awarded to the Appellant/Writ Petitioner as the Appellant/Writ Petitioner had also given wrong answers to other Question No.120 in 'D' Series Question Booklet which the One Man Commission had given in its Report. Hence, it was stated that the Writ Court has rightly dismissed the Writ Petition filed by the Appellant/Writ Petitioner.

31. The learned Additional Advocate General for the Respondent Board placed reliance on the One Man Commission's Report dated 22.01.2021, wherein, it has been stated that the options provided for Question No.2 in 'D' Series Question Booklet refer to the **“31st Amendment Act”**, but, in all the four options, the year of the Amendment is erroneously stated as 1972 instead of 1973.

32. It is submitted that though the year of the 31st Amendment is erroneously stated as 1972 in option (A) of Question No.2 in 'D' Series Question Booklet, option (A) viz., **“31st Amendment Act, 1972”** was



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considered as the correct answer for Question No.2 in 'D' Series Question Booklet. Therefore, only the candidates those who have chosen the option (A) viz., **“31st Amendment Act, 1972”** for Question No.2 in Question 'D' Series Question Booklet (corresponding to Question No.23 in 'B' Series Question Booklet) were entitled to 0.5 marks. Whereas, it is stated that the Appellant/Writ Petitioner had chosen option (D) viz., **“28th Amendment Act, 1972”** for Question No.23 in 'B' Series Question Booklet and therefore, the Appellant/Writ Petitioner would not be entitled to 0.5 marks for the aforesaid question in the Written Examination based on the One Man Commission's Report.

33. The learned Additional Advocate General further pointed out that as per the One Man Commission's Report dated 22.01.2021, correct answer for Question No.120 in 'B' Series Question Booklet is option (A) viz., **“The Police should register a case and investigate”**. However, the Appellant/Writ Petitioner had chosen option (C) viz., **“The Police can refuse to register and investigate”**.

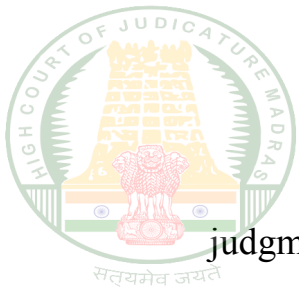


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34. Hence, the Respondent Board deducted 0.5 marks for the wrong answer given to Question No.120 in 'B' Series Question Booklet by the Appellant/Writ Petitioner. Therefore, it is submitted that the Appellant/Writ Petitioner has no case to argue.

35. That apart, the learned Additional Advocate General for the Respondent Board drew our attention to the fact that the Appellant/Writ Petitioner has participated in the succeeding recruitment called for by the Respondent Board in the year 2023 for selection to the post of Sub-Inspector of Police and has also been selected to the post of Sub-Inspector of Police in the said recruitment. Therefore, the learned Additional Advocate General prayed for dismissal of this Writ Appeal.

36. The learned Additional Advocate General for the Respondent Board further placed reliance on the Common Order dated 14.12.2023 passed by the Madurai Bench of this Court in W.A.(MD).Nos.989, 970 & 1014 of 2021 and 770 of 2022 and W.P.(MD).Nos.14482 & 18991 of 2020 and 9718, 9719, 11012 & 11021 of 2021. Relevant portion of the said



judgment reads as under:

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“10. In respect of W.A.(MD)No.770 of 2022, the learned counsel appearing for the appellant relied upon the order dated 19.09.2019 passed in REV.APLW.(MD)No.153 of 2019. In the said order, the Division Bench of this Court observed that the present candidates, who have not approached the Court, are also entitled to get marks and consequently, the Board has to redo the exercise as per the notification in accordance with law and published the list of eligible candidates to be appointed.

11. Pertinently, the said order was passed on 19.09.2019 ie., two years before publication of the final list on 15.04.2021. In S.L.P.(Civil) Diary No.26469 of 2020 filed against the said order, the Supreme Court vide order dated 29.04.2022 made the following observations:-

“Learned counsel accepts that the latter order will also have to be implemented.

We ask the counsel as to why this Court has been approached, to which his submission is that apparently other matters are also being filed before the High Court seeking similar benefits much later on.

We clarify that this cannot be an endless exercise going on and what was to be re-done once, once that is completed nothing more is required to be done.

The special leave petitions are dismissed as not maintainable and also on the ground of delay but with the aforesaid observations.”

12. The Supreme Court in unequivocal terms clarified that redoing exercise cannot be an endless one and in the present case, it was already done, pursuant to the One Man Commission's report.

13. The report of the One Man Commission was taken into consideration by the Writ Court and all the Writ Petitions were disposed of with a direction to redo the exercise of granting marks, wherever required as per the report of the One Man Commission. Thus, we do not find any infirmity in respect of the exercise done by the Writ Court and the directions issued, which were already implemented and the selection list was finalized. Accordingly, all the Writ Petitions are dismissed. In respect of the Writ Appeals, after the final list was published on 15.04.2021, these Writ Appeals were filed. That being the factum, the appellants are not entitled for the relief as such sought for herein. In view of the above discussions, the order of the learned Single Judge is



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confirmed and these Writ Appeals are dismissed. No costs. Consequently, connected miscellaneous petitions are closed."

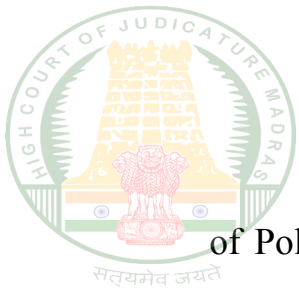
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37. We have considered the arguments advanced by the learned counsel for the Appellant/Writ Petitioner as well as the learned Additional Advocate General for the Respondent Board and have also perused the materials placed before us.

38. Pursuant to the Order dated **08.01.2021** in **W.P.(MD)Nos.197 of 2021, 13799, 8702, 8682, 12377 & 12378 of 2020**, a 'One Man Commission' was appointed. The said 'One Man Commission' submitted a Report dated **22.01.2021** before the Writ Court in Madurai.

39. Thereafter, the Madurai Bench of this Court vide Common Order dated **16.02.2021**, disposed the **W.P.(MD)Nos.197 of 2021, 13799, 8702, 8682, 12377 & 12378 of 2020** by directing the Respondent Board to re-evaluate the answer sheets in comparison with the One Man Commission's Report and release the revised Selection List for the post of 'Sub-Inspector

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of Police' for 2019 batch, within a period of eight weeks from the date of receipt of a copy of that order.

40. The Court also held that any further consideration of similarly placed candidates who appeared for the selection tests for the post of 'Sub-Inspector of Police' for 2019 batch will not be proper and hence, fresh claim for re-valuation of any other questions in the Written Examination held for the post of 'Sub-Inspector of Police – 2019' will not be entertained.

41. It is to be noted that pursuant to the aforesaid Common Order dated **16.02.2021** of the Madurai Bench of this Court, the Respondent Board had published the Provisional Selection List of Departmental Candidates to the post of 'Sub-Inspector of Police' for the batch 2019 on **15.04.2021**.

42. It is evident that based on the One Man Commission's Report, the Respondent Board has not awarded any additional marks to the Appellant/Writ Petitioner as the marks obtained by the Appellant/Writ



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Petitioner was retained as 71 which was prior to the order dated 16.02.2021

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43. It is noticed that the Appellant/Writ Petitioner had filed W.P.No.11846 of 2021 on **11.05.2021** immediately after the Provisional Selection List was released on **15.04.2021**. However, the said writ petition was dismissed by the Writ Court vide impugned order dated 05.04.2022 on the ground of laches.

44. In our view, it cannot be said that the Appellant/Writ Petitioner has approached the Court belatedly since the cause of action for additional marks in the Written Examination had arisen only on account of the One Man Commission's Report dated **22.01.2021** and after the Provisional Selection List was published on **15.04.2021**.

45. It is the case of the Respondent Board that the marks have been given and reduced to all the candidates in the Written Examination based on



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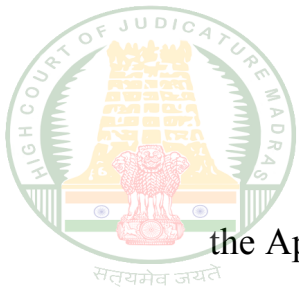
the answers given by the One Man Commission vide Report dated

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22.01.2021 and hence, the Appellant/Writ Petitioner has no case to argue before us. It is the contention of the Respondent Board that the Appellant/Writ Petitioner was not entitled to any additional marks for Question No.23 in 'B' Series Question Booklet (corresponding to Question No.2 in 'D' Series Question Booklet).

46. However, it is noticed that the One Man Commission itself vide **Report dated 22.01.2021** stated that the options provided for Question No.2 in 'D' Series Question Booklet (corresponding to Question No.23 in 'B' Series Question Booklet) refers to the “31st Amendment Act” as 1972 instead of 1973. Thus, all the four options given for Question No.23 in 'B' Series Question Booklet were incorrect.

47. Therefore, all the candidates who had answered the said question would have been entitled to an additional 0.5 marks irrespective of the answers given by them for the said question as all the options were incorrect as per the One Man Commission's Report dated 22.01.2021. In our view,



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the Appellant/Writ Petitioner is thus entitled to 0.5 marks to Question No.23

in 'B' Series Question Booklet in the Written Examination.

48. Further, as per the One Man Commission's Report dated 22.01.2021, the correct answer for Question No.53 in 'B' Series Question Booklet was option (B) viz., “No”. The Appellant/Writ Petitioner had correctly opted for answer (B) viz., “No”. Thus, the Appellant/Writ Petitioner would be entitled to another 0.5 marks for Question No.53 in 'B' Series Question Booklet.

49. Therefore, the Appellant/Writ Petitioner would be entitled to an additional 1 mark (0.5 + 0.5) in the Written Examination held on 13.01.2020 based on the One Man Commission's Report.

50. At the same time, it is to be noted that as per the One Man Commission's Report dated 22.01.2021, correct answer for Question No.120 in 'B' Series Question Booklet, option (A) viz., **“The Police should register a case and investigate”** is the correct answer. However, the Appellant/Writ



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Petitioner had chosen the option (C) viz., **“The Police can refuse to register and investigate”** for the said question which was otherwise in accordance with Answer Key published earlier.

51. Since the Report of One Man Commission has indicated that the correct answer as option (A) viz., **“The Police should register a case and investigate”**, the Respondent Board is entitled to deduct 0.5 marks for the wrong answer given by the Appellant/Writ Petitioner to Question No.120 in 'B' Series Question Booklet.

52. Thus, the Appellant/Writ Petitioner will be entitled to additional 0.5 marks pursuant to the One Man Commission's Report. The following Table explains the position:-

S.No.	Question No.	Reason	Mark awarded/deducted
1	23 in 'B' Series Question Booklet	Incorrect Option/Question	+ 0.5
2	53 in 'B' Series Question Booklet	Incorrect Option/Question	+ 0.5
3	120 in 'B' Series Question Booklet	Incorrect Answer by Appellant/Writ Petitioner	- 0.5
		Total	0.5



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WEB COPY 53. In fact, the Appellant/Writ Petitioner is entitled to a total of 71.05 marks and is therefore, entitled to be considered for selection to the post of 'Sub-Inspector of Police' for 2019 batch along with her batchmates. Therefore, the impugned order dated 05.04.2022 passed by the Writ Court in W.P.No.11846 of 2021 is liable to be set aside.

54. At this stage, it is informed that the Appellant/Writ Petitioner has participated in the recruitment called for by the Respondent Board in the year 2023, for selection to the post of 'Sub-Inspector of Police' and has also been selected in the said recruitment to the post of 'Sub-Inspector of Police'. This indicates that the Appellant/Writ Petitioner is a meritorious candidate and is eligible for promotion to the post of 'Sub-Inspector of Police' along with her batch mates/contemporaries from 2019 batch.

55. The Respondent Board is therefore directed to promote the Appellant/Writ Petitioner as 'Sub-Inspector of Police' for 2019 batch along with her batch mates who were selected for the post of 'Sub-Inspector of



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Police' from 2019 batch pursuant to the recruitment called for by the Respondent Board in the year 2019. The name of the Appellant/Writ Petitioner will be however at the bottom in the seniority list of the candidates from 2019 batch and above those candidates who have been selected to the post of 'Sub-Inspector of Police' pursuant to the succeeding recruitment called for by the Respondent Board in the year 2023.

56. Accordingly, this Writ Appeal is allowed with a direction to the Respondent Board to revise the seniority list to the post of 'Sub-Inspector of Police' immediately after the Appellant/Writ Petitioner complete the training to the post of 'Sub-Inspector of Police'. No costs. Consequently, connected miscellaneous petition is closed.

(S.S.S.R., J.)

(C.S.N., J.)

07.03.2025

mrr

Index : Yes/No

Neutral Citation: Yes/No

Speaking Order (or) Non-Speaking Order

To

The Chairman cum Director

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General of Police,
Tamil Nadu Uniformed Service
Recruitment Board,
Old COP Office Campus,
Pantheon Road, Egmore,
Chennai – 600 008.

S.S.SUNDAR, J.
and
C.SARAVANAN, J.

mrr

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