



W.A.No.1302 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 21.04.2025

CORAM:

**THE HONOURABLE MR.JUSTICE R.SURESH KUMAR
and
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

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and

CMP.No.12936 of 2023

1. The Chairman,
TNUSRB,
Old Commissioner of Police Office Campus,
Pantheon Road, Egmore, Chennai – 08.

2. The Member Secretary,
TNUSRB,
Old Commissioner of Police Office Campus,
Pantheon Road, Egmore, Chennai – 08.

... Appellants

Vs.

P. Narmada,
D/o. Ponnazhagan,
No.6/137, Palla Street,
Devarajapuram, Cheyyur TK,
Chengalpattu – 603 302.

... Respondent



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WEB PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent against the order passed in W.P. No.8191 of 2020 dated 28.06.2022.

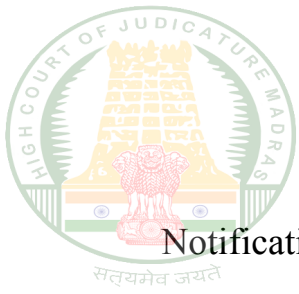
For Appellants : Mr. P.Kumaresan
Additional Advocate General
Assisted by Mr.J.Lenin

For Respondent : No appearance

J U D G M E N T
(Delivered by Dr. A.D. Maria Clete, J)

This Writ Appeal arises out of the order dated 28.06.2022 passed by the learned Single Judge in W.P. No.8191 of 2020, whereby the respondents, Tamil Nadu Uniformed Services Recruitment Board (TNUSRB), were directed to award grace marks to the writ petitioner (respondent herein) for Question No.77 in the 'B' series question paper for the post of Sub-Inspector of Police, 2019, and to include her name in the provisional selection list if otherwise eligible.

2.The brief facts of the case is that the respondent (writ petitioner) had applied for recruitment to the post of Sub-Inspector of Police under the



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Notification No.2/2019 issued by TNUSRB. She appeared for the written examination held on 12.01.2020 and was issued a “B” series question paper. After the examination, the respondent found that certain questions were either printed wrongly or had erroneous key answers.

3.She submitted a representation challenging multiple questions, including Question No.77. An Expert Committee was constituted by TNUSRB, which finalized the answer key after scrutiny. Based on the final key, the respondent secured 42 marks, while the cut-off for the MBC (Women) category was fixed at 42.5 marks.

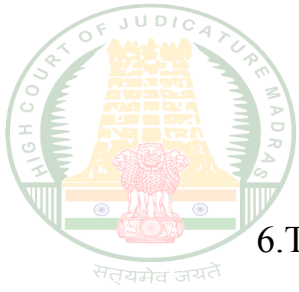
4.The respondent contended that awarding marks for certain disputed questions, particularly Question No.77, would enhance her marks and entitle her for selection. Hence, the respondent filed the writ petition with a prayer to direct the respondents to award marks for the three questions which were printed wrongly and consequently to include the petitioner's name in the list of candidates to be called for next stage. The learned Judge has disposed of the said petition by directing the appellants to award grace mark for Question No.77 in question paper



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'B' series for the post of sub-Inspector of Police, 2019 and to include the respondent's name in the provisional selection list if the petitioner is otherwise eligible. Challenging the said order, the respondent have come before this Court by way of this appeal.

5.The learned Additional Advocate General appearing for TNUSRB submitted that in the event of any discrepancy between Tamil and English versions, candidates were instructed to rely on the English version of the question paper, which was accurate for Question No.77. The Expert Committee found no error in the English version, and the finalized key was correct. It is further submitted that Courts should not interfere with expert academic decisions unless malafides or manifest errors are demonstrated. Crucially, even if the respondent were to be awarded the disputed marks, she would still not cross the zone of consideration for selection, as her enhanced marks would still fall below the cut-off marks after normalization and ranking. Thus, it was submitted that the learned Single Judge's order was unsustainable both legally and factually and sought for allowing the appeal.



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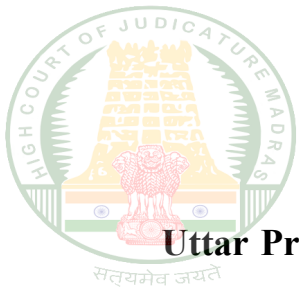
6.The learned counsel for the respondent (writ petitioner), despite service of notice, did not appear at the hearing.

7.Heard the parties and perused the materials available on record.

8.Upon considering the submissions and examining the material on record, we find merit in the contentions advanced on behalf of the appellant Board.

9.As regards the alleged discrepancy in Question No.77, it is an admitted position that the English version of the question was free from error. Candidates were specifically instructed to rely on the English version in case of doubt. Hence, any mismatch in the Tamil version could not form a legitimate ground for awarding grace marks. The respondent ought to have answered based on the English version.

10.Further, the answer key was finalized by a duly constituted Expert Committee after examining all representations. Courts are consistently reminded, as emphasized by the Hon'ble Supreme Court in **Ran Vijay Singh v. State of**



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Uttar Pradesh, (2018) 2 SCC 357, that judicial interference in academic matters

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is permissible only in exceptional cases of malafides, patent illegality, or procedural violation, none of which arise here.

11.In addition to the above, we also accept the submission of the appellant Board that even assuming the disputed marks were to be awarded, the respondent's total marks would not place her within the zone of consideration for selection. The cut-off marks were determined after normalization and rank ordering, and the respondent would still fall below the requisite merit. Thus, on factual grounds also, the respondent would not be entitled to the relief granted by the learned Single Judge. Therefore, both on legal and factual grounds, the impugned order is liable to be set aside.

12.For the reasons stated above, the writ appeal is allowed. The order dated 28.06.2022 passed by the learned Single Judge in W.P. No.8191 of 2020 is set aside, and the writ petition stands dismissed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.



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(R.S.K., J)

(A.D.M.C., J)

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NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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