



WEB COPY



W.A.No.97 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2026

CORAM

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

and

THE HONOURABLE MR.JUSTICE P.DHANABAL

W.A.No.97 of 2026

and

C.M.P.No.917 of 2026

S.Nithesh

... Appellant

-Vs-

1. The Principal Secretary to Government,
Higher Education Department,
Secretariat,
Chennai – 600 009.

2. The Secretary,
Tamil Nadu Public Service Commission,
TNPSC Road,
Park Town,
Chennai.

3. The Controller of Examinations,
Tamil Nadu Public Service Commission,
TNPSC Road,
Park Town,
Chennai – 600 003.

... Respondents

PRAYER : Appeal under Clause XV of Letters Patent against the order dated 06.11.2025 made in W.P.No.41440 of 2025.



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For Appellant : Mr.V.Govarthanam
for Mr.G.Bharath Rajan

For Respondents : Mr.A.Selvendran,
Special Government Pleader for R1
Mr.B.Vijay
Standing Counsel for R2 & R3

J U D G M E N T

(Judgment of the Court was delivered by **R.SURESH KUMAR, J.**)

This intra-Court appeal has been directed against the order dated 06.11.2025 made in W.P.No.41440 of 2025.

2. The appellant was the writ petitioner who participated in the selection process by writing Competitive Examination conducted by the respondent Tamil Nadu Public Service Commission in Combined Civil Services Examination-II-Group-IIA Services for the year 2020.

3. It is his case that, in Answer Book-I, in respect of paper-II General Studies of the said examination, though the examination paper was valued, they are not correctly valued as atleast in one question despite the right answer has been given by the appellant / petitioner, it has been awarded only zero mark. If proper evaluation is made in respect of the question and marks are awarded, certainly the appellant / petitioner would have been in a position to secure more



marks and he would have been selected and appointed to the post of Group-IIA Services.

4. Only in that premises, he approached the writ Court seeking for a writ of mandamus directing the respondents to re-evaluate the petitioner's Answer Book-I in respect of Paper-II General Studies (Combined Civil Services Examination-II-Group-IIA Services, Main Written Examination) and award appropriate marks and consequently, select and appoint him.

5. The said writ petition having been heard was dismissed by the writ Court through the impugned order. The reasoning given by the writ Court as reflected in the impugned order is that, whether the answer key has been correctly evaluated by the expert cannot be gone into by the Court as the Court does not have such an expertise as the qualification was the Bachelor of Business Administration and moreover, the answer that has been evaluated by the examiner, where only in a particular question, zero mark only has been awarded, whether it is correct or not cannot be gone into by this Court. That is the reason why, since there has been no rule for any re-evaluation and the Court also does not have any expertise, such an exercise cannot be expected in exercising the extraordinary jurisdiction of this Court under Article 226 of the Constitution was the view taken by the learned Judge and therefore, the said writ petition was dismissed through the impugned order.



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6. Though an attempt has been made by Mr.V.Govarthanam, learned counsel appearing for the appellant who wanted to assail the said order passed by the writ Court, we are not impressed with the said submission made by the learned counsel for the reason that, even if the case of the appellant / petitioner has taken into account where a particular answer though had been written by the appellant / petitioner, the same has not been properly evaluated and they put only zero mark, insofar as this plea raised by the learned counsel for the appellant / petitioner is concerned, the same answer would be from this Court also where this Court does not have any expertise to verify whether the answer written by the appellant / petitioner for a particular question is a correct answer or not and therefore, whether he is entitled to get any marks more than zero that has been awarded by the examiner, all the issues cannot be gone into by this Court because of lack of expertise in the subject concerned.

7. If it is the case of the appellant / petitioner that despite he has written the answer to a particular question, the same has not been evaluated at all where the examiner simply omitted to award any mark, then there would be some justification on the part of the appellant / petitioner to substantiate the same. Here in the case in hand, the particular answer to the question having been evaluated, an examiner found that, the answer was not deserving to get any marks and might be a wrong answer, hence awarded 'zero' mark. If that being



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the position, the Court does not want to interfere with the decision taken by the examiner in each of the answer key and therefore, the said plea raised by the appellant / petitioner should be rejected and it has rightly been rejected by the learned Judge through the impugned order which does not warrant interference.

8. In that view of the matter, this Court is not inclined to interfere with the impugned order, resultantly, the Writ Appeal fails and hence, it is dismissed. However, there shall be no order as to costs. Connected miscellaneous petition is closed.

(R.S.K., J.) (P.D.B., J.)
09.02.2026

NCC : Yes / No
Index : Yes / No
Speaking Order : Yes / No

vji

To

1. The Principal Secretary to Government,
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