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W.A.Nos.100 & 101 of 2024

AND

C.M.P.Nos.617 & 621 of 2024

R. MAHADEVAN, J.

AND

MOHAMMED SHAFFIQ, J.

(Order of the Court was made by R.Mahadevan, J.)

According to the learned senior counsel appearing for the appellants, the appellants / writ petitioners, who are in-service candidates, applied for the post of Sub Inspector. Subsequently, they attended the written examination conducted on 27.08.2023 and the key answers were published on 31.08.2023, in which, some of the answers were found to be incorrect. Hence, the appellants submitted objections for disputed questions in 'D' series. Thereafter, the final key answers were published on 26.09.2023 and the appellants were called upon to appear for the physical endurance test. Though they came out successful, they were not called for interview, as they secured only 68.5 / 70.5 marks, whereas the cut off marks for interview was fixed as 69.5 for SC / 71 for MBC, in respect of 20% departmental candidates. After making representation, the appellants preferred writ petitions, wherein, the key answers have been challenged, however, the learned Judge, without hearing the appellants, closed the writ petitions, by recording the representation of the Government Counsel that the objections of the appellants have been referred to the new expert committee, which found all the objections and in accordance with the opinion of the new expert committee, 0.5 marks each were awarded to the candidates and thus, all the candidates herein became qualified for the next selection process of physical endurance Test. Aggrieved by the same, the



present appeals came to be filed by the appellants. It is the specific contention of the learned counsel for the appellants that the appellants being departmental candidates, are eligible for appointment to the post of Sub Inspector of Police, as they have given correct answers for question nos.6, 28 and 131 and they have put in enormous efforts in participating in the test. Stating that the viva voce examination for selection to the post of Sub Inspector is being conducted from 19.12.2023 to 10.01.2024, the learned senior counsel sought for an interim order, so as to enable the appellants to participate in the interview for the post in question.

2.Heard the learned Additional Advocate General appearing for the respondent authorities, who reiterated the submissions as were placed before the learned Judge.

3.Upon considering the submissions made by the learned counsel on either side, and perusal of the documents enclosed in the typed set of papers, this court, as an interim measure, permits the appellants to participate in the viva voce scheduled to be conducted by the respondent Board. However, the respondents shall not publish the results, but keep the same in a sealed cover and place it before this Court.

Post these matters after four weeks.

[R.M.D., J.] [M.S.Q., J.]
10.01.2024

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