

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE SHAJI P.CHALY

TUESDAY, THE 10TH DAY OF JANUARY 2023 / 20TH POUSHA, 1944

WP(C) NO. 12953 OF 2014

PETITIONER/S:

T.R.SEBASTIAN
S/O.T.D.RAPPAI, ADVOCATE, THANIKKAL
CHALISSERY, KEERTHI NAGAR, AYYANTHOLE, THRISSUR -
680003.

BY ADVS.
SRI.P.K.SURESH KUMAR (SR.)
SRI.K.P.SUDHEER

RESPONDENT/S:

- 1 HIGH COURT OF KERALA
REPRESENTED BY ITS REGISTRAR (THE RECRUITMENT
AND COMPUTERIZATION, HIGH COURT OF KERALA,
ERNAKULAM)
- 2 STATE OF KERALA
REPRESENTED BY THE CHIEF SECRETARY,
SECRETARIAT, THIRUVANANTHAPURAM 695001.
- 3 MURALEE KRISHNA S.
NAVACHETHANA, LALOOR, PARAKALAI P.O.,
BELUR, HOSDURG, KASARAGOD, PIN - 671 531.
- 4 JOBIN SEBASTIAN,
MANGALATHIL, NEELOOR, NEELOOR P.O.,
KADANADU, MEENACHIL, KOTTAYAM, PIN - 686 651
- 5 P. V. BALAKRISHNAN,
M/S.MURIKAN AND MANGOT, CHITTOOR ROAD,
VALANJAMBALAM, M.G.ROAD P.O., ERNAKULAM, PIN - 682
016.
- 6 HONEY M. VARGHESE
MELETH HOUSE, CHALAMPADOM, KOOTTALA P.O., PEECHI,
THRISSUR, PIN - 680 652.
- 7 N. HARIKUMAR
SREEBHAVAN, CHULLIYOOR, MARAYAMUTTOM
P.O., PERUMKADAVILA, NEYYATTINKARA,
THIRUVANANTHAPURAM PIN - 695 131.
- 8 SASI KUMAR P.S.
SURESH BHAVAN, KUNNICODE, KUNNICODE

**P.O.,VILAKUDY, PATHANAPURAM, KOLLAM, PIN - 691
508.**

BY ADVS.

SRI.B.UNNIKRISHNA KAIMAL

SRI.K.A.JALEEL, ADDL. ADVOCATE GENERAL

SRI 3-5VENU MENON

P.SANKARANKUTTY NAIR

SRI.K.SANDESH RAJA

SRI.B.S.SURESH KUMAR

OTHER PRESENT :

SRI.JOBY JOSEPH,SENIOR GOVERNMENT PLEADER

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 10.01.2023, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:**

J U D G M E N T

This writ petition is filed by the petitioner seeking the following reliefs:-

“(i) To issue a writ in the nature of certiorari or any other writ or order quashing Exhibit-P5 after calling for the records leading to the same;

(ii) Issue a writ in the nature of mandamus or any other appropriate writ or order, directing the 1st respondent to value and revalue the answer sheets of the petitioner;

(iii) Issue a writ in the nature of mandamus or any other appropriate writ or order, directing the 1st respondent to revalue the answer sheets of all the candidates who appeared in the examination pursuant to Exhibit-P1 notification by High Court Judges;

(iv) Complete the selection process to the post of District & Sessions Judges on the basis of the revaluation done as above.”

2. The subject issue raised in this writ petition relates to selection to the post of District and Sessions Judge as per Ext. P1 notification dated 20.12.2012. Various contentions are raised with respect to the answers given by the petitioner to the questions and the illegal manner

in which the valuations were conducted and the petitioner has also sought for revaluation of the answer sheets.

3. The said issue with respect to whether a revaluation can be ordered in a writ petition was considered by a Division Bench of this Court in the judgment in *Shinod K. v. the High Court of Kerala and Others* in W. A. No. 383 of 2014 dated 10.06.2016 and held that revaluation cannot be done with regard to the very same selection process.

In that view of the matter, the issue raised by the petitioner in this writ petition is squarely covered by the said judgment. Therefore, this writ petition is dismissed in view of the legal proposition laid down by the Division Bench of this Court in the aforesaid judgment.

**Sd/-
SHAJI P. CHALY
JUDGE**

Eb

///TRUE COPY///
P. A. TO JUDGE

APPENDIX OF WP(C) 12953/2014

PETITIONER EXHIBITS

EXHIBIT P1	TRUE COPY OF THE NOTIFICATION ISSUED BY THE HIGH COURT OF KERALA DATED 20.12.2012
EXHIBIT P2	TRUE COPY OF THE ADMISSION TICKET ISSUED TO THE PETITIONER FROM THE HON'BLE HIGH COURT OF KERALA.
EXHIBIT P3	TRUE COPY OF THE NOTIFICATION DATED 8.7.2013 ISSUED BY THE HON'BLE HIGH COURT OF KERALA.
EXHIBIT P4	TRUE COPY OF THE MODIFIED NOTIFICATION DATED 27.8.2013 ISSUED BY THE HON'BLE HIGH COURT OF KERALA.
EXHIBIT P5	TRUE COPY OF THE LIST OF PERSONS QUALIFIED FOR SELECTION FOR THE POST DISTRICT AND SESSIONS JUDGE DATED 21.11.2013 PUBLISHED BY THE HON'BLE HIGH COURT OF KERALA.
EXHIBIT P6	TRUE COPY OF THE QUESTION PAPER OF PAPER-I EXAMINATION
EXHIBIT P7	TRUE COPY OF THE ANSWER SHEET OF PART A, (OBJECTIVE TYPE), OBTAINED UNDER THE RIGHT TO INFORMATION ACT.
EXHIBIT P7(A)	TRUE COPY OF THE ANSWER SHEET OF PART B (DESCRIPTIVE TYPE) OBTAINED UNDER THE RIGHT TO INFORMATION ACT.
EXHIBIT P7(B)	TRUE COPY OF THE ANSWER SHEET OF PART C (JUDGEMENT WRITING) OBTAINED UNDER THE RIGHT TO INFORMATION ACT
EXHIBIT P8	TRUE COPY OF THE QUESTION PAPER OF PAPER-II EXAMINATION
EXHIBIT P9	TRUE COPY OF THE ANSWER SHEET IN RESPECT OF PART-X (OBJECTIVE TYPE) OF PAPER-II.
EXHIBIT P9(A)	TRUE COPY OF THE ANSWER SHEET OF PART-Y OF PAPER-II (DESCRIPTIVE TYPE)
EXHIBIT P9(B)	TRUE COPY OF THE ANSWER SHEET OF PART-Z OF PAPER-II (JUDGEMENT WRITING)