

(1984) 07 MAD CK 0049
In the Madras High Court

Dravidar Kazhagam

APPELLANT

Vs

The State of Tamil Nadu and Another

RESPONDENT

Date of Decision : 10-07-1984

Acts Referred:

Citation : (1986) 1 MLJ 129

Hon'ble Judges : S. Natarajan, J

Bench : Division Bench

Judgement

S. Natarajan, J.—In order to interdict the State of Tamil Nadu, the 1st respondent herein from holding an Entrance Test for admission to the

Professional Colleges in the State viz., Engineering, Medical and Agriculture, and compel the Government to hold interviews as before for the

candidates seeking admission to those Colleges Dravidar Kazhagam represented by its Executive Committee member, Thiru K. Balaraman has

filed this petition under Article 226 of the Constitution of India seeking the issue of a writ of certiorarified mandamus,

2. The initial pages of the affidavit of the petitioner contain averments relating to the domination of Non-Brahmin communities by the Brahmin

community, how Justice Party and Thanthai Periyar E.V. Ramasami launched a campaign for rendering justice to Non-Brahmins, how the

communal G.O. came to be passed, how the G.O. came to be struck down by the Court as ultra vires of the Constitution, how an agitation was

started and how Article 15 of the Constitution was amended and how the interview system was sought to be rendered ineffective by Thiru

Rajagopalachari by reduction of interview marks from 150 to 50 when he was the Chief Minister of Tamil Nadu and how Thiru Kamaraj, who

became the Chief Minister of Tamil Nadu restored the interview marks to 150 in order to give adequate representation to the backward classes

people. The affidavit then proceeds to say that the interview system had the blessings of Thanthai Periyar and Thiru Kamaraj and it had been

functioning well for a number of years. It further states that the same system was followed by the D.M.K. Ministry headed by Anna and Kalaingar

Karunanidhi and that even the A.I.A.D.M.K. Ministry followed it till the academic year 1983-84; but, all on a sudden, the second respondent

made a statement on the floor of the Tamil Nadu Assembly on 16.3.1984 that from the academic year 1984-85 onwards, the interview system will

be abolished and Entrance Test system would be followed for admission of candidates in the professional colleges. This change of policy,

according to the petitioner, is wholly uncalled for and is sought to be brought about for motivated reasons. Furthermore, the introduction of

Entrance Test examination will seriously jeopardise the students belonging to the weaker sections of the community hailing from the rural areas

situate in remote parts of Tamil Nadu. Hence, the petitioner seeks the intervention of the Court to prevent the Entrance Test examination proposed

to be held by the first respondent and for continuing the system of selection of candidates after holding interview.

3. Before referring to the various grounds set out in the petitioner's affidavit, -1 may refer to the contents of Press Release No. 322 of the

Government of Tamil Nadu dated 30.5.1984. The relevant portions of the Press Release read as follows:

... Taking into account the widespread criticism against the selection of candidates based on the academic marks plus marks obtained by them in

the viva-voce tests and the procedure followed in several other States, the Government have decided to replace the viva-voce test by an Entrance

Test to be conducted by the Anna University, Madras, for admission to the Professional Colleges, i.e. Medical (including Dental and Pharmacy),

Engineering and Agriculture (including Horticulture, Fisheries, Veterinary and Agricultural Engineering). This method of selection will come into

force from the academic year 1984-85.

Three Entrance Tests will be conducted:

(a) One for Engineering and Agricultural Engineering;

(b) One for Medical, Pharmacy, Dental, etc. and

(c) One for Agricultural, Horticultural, Veterinary, etc.

The Entrance Test will cover knowledge in subjects relevant to the courses and aptitude and General Knowledge relevant to the professional courses.

The Anna University will invite applications for the conduct of the Entrance Test for all Professional Colleges coming under Engineering, Medicine and Agriculture and conduct the Entrance examinations.

Candidates seeking admission to one or more courses can appear for one or more tests relevant to the course according to their choice.

The marks to be awarded for each Entrance Test will be 50.

The Director of Technical Education, Director of Medical Education and Agricultural University, will render all necessary help to Anna University in setting their respective question papers.

The Government Data Centre will provide necessary facility for punching and verifying the response sheets of the candidates.

The results of the Entrance Tests will be made available by the Anna University to the respective agencies offering admission to candidates.

In the meantime each of the agencies offering admission i.e. the Directorate of Technical Education, Directorate of Medical Education, Agriculture

University and Anna University will separately invite applications from the candidates for admission to their respective colleges. After obtaining the

marks lists of the Entrance Tests from Anna University, the respective agencies will select candidates to their respective Colleges based on the

academic marks of the candidates plus the marks scored by them in the Entrance Tests (i.e. 200+50) and also follow the rule of reservation and

publish their results. Efforts will be made by the various agencies to publish the results on the same date so as to enable the candidates to choose

their branch of study so as to avoid migration from one branch to the other.

The Government has constituted a Committee with the following members to co-ordinate all arrangements in connection with the conduct of the

Entrance Test and allied matters and to take such decisions as it deems necessary to ensure efficient conduct of the Entrance Test.

1. Dr. V.C. Kulandaiswamy,

Vice-Chancellor,
Anna University,
Madras. ...Chairman.

2. Dr. V. Rajagopalan,
Vice-Chancellor,
Agricultural University,
Coimbatore. ...Member.

3. Dr. (Tmt.) Lalitha Kameswaran,
Director of Medical Education,
Madras-5. ...Member.

4. Thiru P.S. Pandian, I.A.S.,
Director of Technical Education,
Madras-25. ...Member.

The questions for Entrance Test will be prepared both in English and Tamil. Model questions (both in English and Tamil) will be prepared and attached with the prospectus to the application for Entrance Test.

4. Various grounds have been set out by the petitioner in his affidavit in support of his prayer for the issue of a writ of certiorari and mandamus, I shall now set out those grounds and consider the merits of each one of them.

5. The first contention of the petitioner is that every student acquires eligibility for higher studies on passing the qualifying examination, viz., Plus

Two course examination or its equivalent and once such eligibility has been acquired, "the respondents cannot debar them from being admitted into

Professional Colleges in the guise of Entrance Examination." In fact, the extreme contention put forth in this behalf is that "unless the qualifying

examination, viz., Plus Two examination conducted by the Government is held as null and void or declared as a farce, the respondents have no

right or jurisdiction to conduct further examination to qualify him for the admission in the Professional Colleges.

6. This argument cannot be countenanced at all, because of the gross disproportion in the number of seats available in the Professional Colleges

and the number of students, who pass the qualifying examination and seek admission to the professional courses. Therefore, there has to be a

system of selection to the professional colleges in spite of the candidates having passed the qualifying examination and obtaining eligibility to apply for admission to the professional courses. The need* for further assessment of the candidates after they pass the qualifying examination is, therefore, one of absolute necessity, and such being the case, the argument that the respondents have no right or jurisdiction to conduct a further examination for selection of candidates, cannot at all arise. In fact, the interview system, which the petitioner wants to be retained, is also an examination, though an oral one. Hence, the stand of the petitioner is mutually contradictory.

7. Closely following this argument, his further plea is that even if further subjective assessment is to be made of the qualified candidates, it should only be by means of an interview and not by holding an Entrance Test and adding the marks obtained in the Entrance Test examination to the marks obtained in the relevant subjects in the qualifying examination. This argument does not require serious notice, because of the fallacy contained in it. Whether the assessment of a candidate is done by holding an interview or by holding an Entrance Test, the end-product is the same, viz., marks. Even in the system of interview, it is the marks obtained by the candidates at the interview that are added to the marks secured in the qualifying examination. It is therefore incorrect to contend that in the interview system, the candidates' performance is taken into consideration, while in the Entrance Test system, the candidates' marks alone are taken into consideration, and as such, the two systems provide materials distinctly different from each other, for assessment of the candidates.

8. In logical sequence, I will now take up the averments of the petitioner in paras 12 and 13 of his affidavit, as it is with reference to them. Mr.

Duraisamy advanced elaborate arguments. According to the petitioner, "In the interview system, the interviewer has the advantage of seeing the candidate face-to-face", and "by a fleeting glance, a skilled examiner will be in a position to understand his physiological and psycho-social background", and "by his facial expression and by his general carriage, an interviewer will be in a position to assess his mental make-up," and there will be no possibility of making mistakes in this assessment, because the assessment is not done by a single interviewer, but by a group of

interviewers, whose general assessment will finally prevail." On the other hand, the petitioner would say, "Entrance test will not obliterate social inequality", and "instead, it will aggravate it." According to the petitioner, "the chances for the rural youths to impress the interviewers by their sincerity and devotion for selection to the professional courses will disappear, and in its place impersonal selection system with the assistance of computer with all its faults will determine selection to the professional courses." Elaborating these propositions, Mr. Duraisamy argued that students belonging to poor families and coming from rural areas, will be able to give out their best only in the interviews, but will feel bewildered, confused and lost, if they are called upon to write Entrance Tests, wherein their answers papers would be fed in a computer for assessment of their performance.

9. The assertions of the petitioner's counsel in support of the above plea cannot really stand the test of scrutiny. Whether a candidate appears for an interview or an Entrance Test, there are two factors, which are fixed and unalterable ones, viz., (1) the marks obtained by the candidate in the qualifying examination in the relevant subjects; and (2) the level of his mental equipment. Such being the case, if a candidate is to get more marks in an oral interview, instead of in the Entrance Test it can only be done by adopting, a different standard of questioning or by putting questions to him at a different level, viz., by putting him lesser number of questions or putting him questions of an easy nature. In other words, unless the interviewers resort to what is known as "shifting of goal posts", a candidate cannot get more marks in the interview than in the Entrance Test. It would therefore mean that interviews should be subjected to manipulative exercises for different sets of candidates, if some candidates are to get more marks in the interview than in the Entrance Test. Such a course would undoubtedly lead to abuse of power and proprio vigore render vulnerable the marks given by the Interview Committee to the candidates to criticism and odious comparison.

10. While speaking on the merits of the Interview system, Mr. Duraisamy stated that the Interview Committee meeting the candidate face to face will be able to assess his aptitude for the course and the level of his intellectual standard by questioning him as well as by noticing the demeanour of

the candidate and such a perfect manner of assessment cannot be made by holding Entrance Test Examinations.

11. In support of his argument, Mr. Duraisamy quoted the following passage occurring in Scientific Social Surveys and Research, Fourth Edition,

by Pauline V. Young (Page 215):

A minute change of facial expression, a slight tensing of a muscle, the flick of an eye, a trace of a change in one's voice, a slight inflection or change

in emphasis, a slight change in one's rate of speaking, slight hesitations in putting a question or in following up with the next question, one's choice

of words, one's spontaneity in inquiring about items that are off the usual routine, or any of a dozen and one other involuntary reactions...(can be

noticed even by) unlettered persons or persons of mentally lower levels...in ways that may not involve spoken words but which are nonetheless,

readily comprehended....

I am not in the least persuaded by the submission of Mr. Duraisainy in this behalf. In the first place, the passage extracted above has been quoted

by the author from the Book "Sexual Behaviour of the Human Male" by Alfred C. Kinsey. The statement of the author has been made with

reference to interviews of persons, who formed the subject-matter of study regarding sexual behaviour. It is therefore a passage, which cannot

have any relevance to the matter on hand. On that one ground alone, the discussion on the subject can be closed. But I will go a step further to

point out the mistake contained in the argument. Assuming for argument's sake that a Committee of Experts interviewing a candidate seeking

admission to professional colleges, can gauge the candidate correctly with reference to his demeanour, facial reaction, etc. during the interview, the

counsel fails to see that an interview for a candidate can last at best only for three to five minutes. Every day, a Committee would have to interview

about 70 to 80 candidates. Faced with that stupendous task, it would be impossible for a Committee to note minutely the facial changes occurring

in the candidates at the time of interview, their reaction and responses, etc and judge their relative capacity for being given admission in

professional colleges. Moreover, if the members of the Interview Committee are to watch the changes in the faces of the candidates appearing for

the interview, it goes without saying that the candidates too would be watching

the faces of their interviewers to find out what their reactions are to the answers given by them. A decisive laughter, a contemptuous smile, an exclamatory remark of surprise or disbelief, an impatient gesture or sullen silence, on the part of the Interview Committee members will put the candidate completely out of sorts. Consequently, the student will lose his composure and equanimity and he is apt to commit errors and answer diffidently or hesitatingly the further questions put to him. Therefore, even if the argument of the petitioner's Counsel that the reaction of the Interview Committee members is an indispensable factor for assessing the candidates' aptitude is to be accepted, it follows that it will be a two-way affair and instead of extracting the best from the students, the Interview Committee members may unwittingly extract the worst from them.

12. It is then urged that a student coming from a rural area, pulled out of his village surroundings and made to write an Entrance Test examination, is bound to suffer from bewilderment and confusion, but, on the other hand, if he is called for an interview, he can be gently questioned and made to give out his best. Calm reflection will show that the truth lies the other way about. Almost from the fifth or sixth standard, the students are accustomed to writing quarterly examinations, half-yearly examinations and annual examinations. In the Tenth standard and the Plus Two examinations, they sit for public examinations and answer the question papers. Such being the case, the students will feel completely at home when they are asked to write one more examination at the time of Entrance Test. They would have already gone through the model question and answer papers and derived an idea about the pattern and type of the questions that would be asked and the manner of answering them. As such, when they sit for the Entrance Test and receive the question paper, they can quickly go through the questions and start answering them in the order they like. The system of answering is also a very easy one and there is no risk of students suffering on account of bad handwriting or slow-writing or giving lengthy answers and suffering from want of time to complete the paper. In contrast, if we compare the picture of the students appearing for the interview, the students will undoubtedly be in a state of nervousness, tension and excitement prior to appearing before the Interview Committee. From morning to evening, they will have to wait to take their turn

and keep on guessing what sort of questions will be put to them, how many number of questions will be put and how the Interview Committee will deal with them. If these factors are noticed, the Entrance Test system will undoubtedly prove advantageous to the student community than the interview system. If an opinion-poll is held among the students, whether they come from the cities or the rural areas, I have no doubt they will unhesitatingly vote for the Entrance Test system. The argument that the Interview system has stood the test of time and should not, therefore, be disturbed, is fallacious, because the written examination system has stood the test of time for a longer period and has become an irreplaceable system.

13. While on the question of the merits of the Interview system, I may refer to the observation of the Supreme Court in *Minor A. Peeriakaruppan*

and *Sobha Joseph Vs. State of Tamil Nadu and Others*, and the observations of a Bench of this Court, to which I was a party, in *P. Sabitha*

(Minor) v. Govt. of Tamil Nadu W.P.No. 9406 of 1983, etc. Batch. The Supreme Court has said thus:

Even when the interviews are conducted by impartial and competent persons on scientific lines very many uncertain factors like the initial

nervousness on the part of some candidates, the mood in which the Interviewer happens to be and the odd questions that may be put to the

persons interviewed, may all go to affect the result of the interview.

In the Bench decision, the relevant portion is as extracted below:

However conscientious and impartial the members of the Interview Committee may be in interviewing the candidates and assessing their

proficiency, there are bound to be imperfections and deficiencies. This is because of the fact that the interviews have to be done by several

Committees and not by one Committee alone. As such, a uniform standard or pattern of questions cannot be followed. Some Committee

Members are bound to ask more questions, while some others are likely to ask a lesser number of questions. The standards of valuation may also

differ. Even the members of the same Committee cannot be expected to exhibit consistency in their assessment of candidates, because of

monotony and fatigue. Any Committee interviewing 60 to 80 candidates per day continuously for about a fortnight is likely to get bored, sullen and

irritated.

14. There is another very important aspect of the matter, which has great relevance when a comparison is made of the two systems. According to newspaper reports, about 23,000 candidates have applied for admission to the professional courses (1984-85) and among them, 16,000 candidates have applied for Engineering course, 13,000 have applied for Medical course and 8,000 have applied for Agriculture course. If the merit of these candidates is to be assessed by the Interview system, then it would not only require a multiplicity of Committees, but several weeks of time for the interviews to be completed, and after the Interview Committees complete their sittings at various centres, the mark sheets prepared by them will have to be sent to a Co-ordinating Committee and that Committee would have to spend further time to finalise the list of selected candidates after processing the reports sent by the various Interview Committees. These exercises will necessarily involve considerable time and that will lead to the announcement of the names or numbers of the selected students being delayed by several months. Till then, the students will be left in the lurch. They would be completely in the dark and not knowing what their future would be, viz., whether they would get selected to the professional course of their choice or whether they have to pursue their studies in Arts or Science courses. If regard is had to all these factors, there is no scope for two opinions in the matter. In one voice, the Entrance Test system has to be declared to be far more advantageous than the Interview system.

15. The petitioner's counsel then stated that there are certain inherent defects in the Entrance Test proposed to be held. His first argument was that the possibility of all the answers given in the Reference Sheet being wrong, cannot be ruled out. In such a contingency, the students will be left in a fix and would lose the marks intended for those questions. The basis for such a contention has been provided by the model questions/answers paper given by the authorities. Question No. 21 for Engineering course has been given as follows:

(21) A temperature of $25^{\circ}\frac{1}{2}$ Celsius is equal to -

(1) $45^{\circ}\frac{1}{2}$ F

(2) $75^{\circ}\frac{1}{2}$ F

(3) $32^{\circ}\frac{1}{2}$ F

(4) 25½ F

The Counsel would say that all the four choices given are wrong, because the correct answer would be 77½F. On the basis of this single

mistake, it cannot be said that the entrance test system itself is defective and deserves rejection. Perhaps the model questions/answers paper had

been prepared in a hurry and a mistake may have crept in; but on the basis of this small lapse, it can never be said that there is strong likelihood of

the Examiners giving incorrect answers for all the questions and the candidates suffering on account of that.

16. The further submission made was that the possibility of wrong punching of answers or wrong feeding of the Computer cannot be ruled out and

in the event of such mistakes being committed, the candidates would suffer. This contention is raised on mere conjectures and surmises. There is no

reason to think that the punching operations to be done at the Data Processing Unit would not be done with care and caution.

17. The petitioner's counsel then went on to say that certain instructions have been given by the 1st respondent with a view to provide scope for

manipulation of answer sheets. In the first place, he stated that when the question papers are being set by the Anna University, there is no earthly

reason why the answer sheets should be sent to the Data Processing Centre owned by the Government for evaluation of the answer sheets and

preparation of the marks' lists. The direction must obviously be for operational reasons. Availability of the required equipments and availability of

adequate staff for handling the machines must have made the authorities give directions for the answer sheets being sent to the Data Processing

Centre for compilation of marks.

18. The petitioner's counsel would then state that there is no need for a candidate to enter his name and the name of the Centre where he is taking

his Entrance Test examination in the answer sheet and these particulars have been called for only to enable the Government to pick out the answer

sheets of those candidates in whom they are interested and alter the answers and inflate the marks. Here again, the submission is made on mere

conjectures and surmises. The additional particulars asked to be written would be necessary in order to avoid any confusion or mistaken identity.

There may be many candidates having the same initials and the same name, and

in order to avoid any confusion or complication, the additional particulars have got to be obtained. Without further particulars, mere reference to the number assigned to a candidate at the time of the Examination may not be enough to resolve a conflict. In fact, if a student wants to challenge the correctness of the marks awarded to him, any authority or even the Court can verify the matter by scrutiny of the Reference Sheet only after determining its identity. It is for that purpose, additional particulars should have been asked to be furnished by the candidates. Therefore, it is too much to say that for manipulation of marks on a future date, the Government have called upon the candidates to furnish in the answer papers their names and the name of the examination centre.

19. Another curious argument advanced by Mr. Duraisami relates to an instruction given to the candidates that if he desired to correct any answer, he should strike off the earlier entry and enter the revised entry below it. Mr. Duraisami would say that such an instruction has been given so that the Government could pick out the answer sheets of the candidates in whom they are interested and make them strike off the wrong answers given earlier and enter the correct ones so that they could get high marks on the basis of the revised entries. For a two-fold reason, this proposition cannot be accepted. In the first place, the instruction for striking out the earlier entry made and entering a revised entry should have been given to help the candidates if on second-thought they find that the first entry made by them is not a correct one. If Mr. Duraisami's argument is to be accepted, then the students would be completely denied an opportunity of correcting a wrong entry made by them. Secondly, it is inconceivable that the Government or its Officers would go to the extent of picking out the answer sheets of a few candidates from the thousands and thousands of answer papers that are sent to the Data Processing Centre and afford an opportunity to the candidates to score off the wrong entries and make revised correct entries. Hence, the attempt of Mr. Duraisami to read something more in the instructions than the purpose for which it has been made, cannot be countenanced.

20. In the course of his arguments, Mr. Duraisami pleaded that the students coming from rural areas, cannot stand comparison with their counter-parts in the Cities, because, the latter have the advantage of being born in

middle class and upper-middle class families and having the benefit of education in good schools and also having the benefit of instruction through mass media, etc. In order to say that the students studying in the City Schools have far more advantages than the students studying in the Schools in rural areas, Mr. Duraisarni referred to a passage occurring in the Report of the Backward Classes Commission, First Part Volumes I and II (1980) page 23, That Report does not have any relevance to the matter in issue, because that Report advocates the policy of reservation for students belonging to the Backward Classes. Mr. Duraisami conceded that even under the Entrance Test system, the reservation policy of the Government for Scheduled Castes/Scheduled Tribes students and the Backward Class students remains the same and has not undergone any alteration. Even now, 18% of seats are set apart for the Scheduled Castes/Scheduled Tribes students and 50% of the seats are set apart for the students belonging to the Backward Classes. The remaining 32% of the seats is also not reserved for the communities termed as Forward Communities, but is set apart for Open Competition. Hence, all meritorious students, to whichever community they belong, can seek admission in the percentage of seats provided for Open Competition. The Supreme Court has held recently that at least 30% of seats should be reserved for selection on the basis of merit. Inasmuch as the policy of reservation advocated in the Report of the Backward Classes Commission is fully adhered to under the Entrance Test system also, there is no room for complaining that the students belonging to socially and educationally backward classes will go unprotected.

21. In the course of his arguments, Mr. Duraisami made certain submissions, which are entirely of a non-legal nature. He stated that the Chief Minister had made an announcement that under the Entrance Test System, the candidates will have to "tick" the correct answers in the question paper itself; but in the prospectus issued, the candidates have been instructed to mark their answers in the Reference Sheet and not in the question papers, and this amounts to a serious infirmity, if not an illegality, in the Entrance Test System. The petitioner's counsel fails to see that the relevant factor for consideration is the relative merits of the two systems viz, the interview system and the entrance test system, and not the modalities, viz.,

the entrance test is to be held because it is a matter for the specialists and technologists to decide. Non-technical people cannot be expected to know the details of the methodology to be followed. In the same vein, Mr. Duraisami tried to make a point by saying that Anna University is not competent to hold the Entrance Test examinations for candidates seeking admission to the Medical Course and the Agricultural Course, consisting of various disciplines. I am afraid, Mr. Duraisami has overlooked the relevant portion in the Press Release, wherein it is stated that, "the Director of Technical Education, Director of Medical Education and Agricultural University will render all necessary help to the Anna University in setting their respective question papers." This instruction clearly shows that the question papers for the various professional courses are to be set by experts in the respective fields. All that the Anna University has been entrusted with is the task of inviting applications and conducting the entrance test examination.

22. A third criticism was that while the Supreme Court has laid down in *Ajay Hasia and Others Vs. Khalid Mujib Sehravardi and Others*, that allocation of more than 15% of the total marks for the oral interview, would be arbitrary and unreasonable, the respondents have fixed a total of 50 marks for the Entrance Test examination, and this is opposed to law. The argument is bereft of substance, because the Supreme Court, realising the imperfections inhered in the system of interviews and in order, to minimise the scope for wrong assessment of candidates at the interview, either on account of bona fide mistakes or on account of favouritism, has placed an upper limit on the percentage of marks that could be awarded at the interviews. But here, the assessment is not by human agency, but by sophisticated machines on the basis of the written answers given by the candidates. In view of this fundamental difference, the criticism of the petitioner's counsel regarding the setting apart of 50 marks instead of 30 marks, is totally misconceived.

23. Throughout the course of his arguments, Mr. Duraisami repeatedly stated that the students belonging to backward classes and hailing from remote rural areas would be beaten hollow by the more enlightened students living in big cities and studying in city schools, and unless the Interview system is retained, the country-cousins of the city students will be left to

linguish for ever. Inspite of the earnestness with which Mr. Duraisami made his submissions, I think the proposition contains too many infirmities to be accepted. In the first place, with modern modes of transport, communication facilities, rural electrification, mass media facilities, etc. being made available all over the State, it cannot be said that the students in rural areas are still leading a life totally different from that of the city students. It is apposite to mention here that only students who secure 60% marks in subjects and 70% in the aggregate are eligible to apply to the professional courses. Secondly, there is no hypothesis for holding that all students living in the cities are bright and knowledgeable persons and all students living in the districts and mofussil areas are not so bright and knowledgeable. Even as there will be a percentage of mediocre students in the city schools, there will be a percentage of bright students in the schools in the mofussil areas and small towns. It cannot therefore be said that as a rule all the city students will fare better and all mofussil students will fare badly in the Entrance Test examination. There are also no statistics to show how many students hailing from poor families living in rural areas came to be benefited in the years gone by due to the interview system inspite of their comparative lack of knowledge in general knowledge subjects. The interview system has held the field till now not because of its efficacy, but on account of lack of an alternative. The Entrance Test System has now come to be universally accepted and more and more countries in the world are resorting to it and the students are able to face it without any trepidation. It has the advantages of speed, uniformity and accuracy, all of which, the interview system can never hope to achieve. The advancement of technology has made the Entrance Test system so fool-proof that no country can afford to miss the advantages offered by it, Argumentatively it can be said that no system evolved by human beings can guarantee absolute perfection and therefore, the Entrance Test examinations proposed to be held with the aid of computers, will not be an absolutely fool-proof system. The answer for this argument is that absolute perfection is an attribute of Divinity alone, but when a system is found to be more advantageous and more fool-proof than another, then that system has to naturally commend itself for acceptance. To condemn such a system even before it has been put to trial and its merits and

demerits known, will amount to foredooming a live-normal child in the womb before it is born.

24. There is no provision of law or direction of statute mandating the State to make selection of candidates to the professional courses by following

the interview system. Such being the case, the State is competent to change the oral examination system into a written examination system. The

respondents have not therefore contravened any constitutional or statutory provisions or committed breach of procedural norms by changing from

the interview system to the Entrance Test System. For all the aforesaid reasons, I am unable to accept the plea fervently made by Mr. Duraisamy

that the Court should intervene in the matter and maintain status quo. As a relentless crusader for social justice, the petitioner's anxiety to safeguard

the interests and welfare of the underprivileged students belonging to backward classes is fully understandable. Even so, the misgivings and

apprehensions of the petitioner when examined dispassionately with reference to subjective consideration and objective standards, are found to be

without foundation and basis. Consequently, the rule nisi is declined and the petition will stand dismissed.