



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.10.2021

Coram

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
AND
THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

W.A.No.2503 of 2021
and CMP.No.16304 of 2021

The Chairman,
Teachers Recruitment Board,
College Road,
Chennai - 600 006.

...Appellants/Respondent No.1

vs.

1.E.Agalya

...1st Respondent/Petitioner

2.The Director of Higher Secondary School
Education, College Road,
Chennai - 600 006.

3.The Chief Educational Officer,
Erode District.

4.The District Educational Officer
Erode District.

...Respondents /Respondents 2 to 4

Prayer: Writ appeal is filed under clause 15 of the Letter Patent praying to set aside the order dated 05.12.2013 made in WP.No.33030 of 2013 and order dated 12.03.2021 made in Rev.Appl.No.304 of 2014 on the file this Court.

Prayer in W.P.No.33030 of 2013:

Writ Petition filed under Section 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 and 2 to select and appoint the petitioner to the post of Graduate Assistant based on the Certificate verification held on 12.5.10 conducted by the Teachers Recruitment Board the 1st respondent herein in respect of the selection to the post of Graduate Assistant for the year 2009-10 without insisting for appearance and pass in the Teachers Eligibility Test.



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For Appellant : Mr.K.V.Sajeev Kumar
Government Counsel

For Respondents: Mr.K.Tippu Sultan
Government Advocate for R2 to R4

JUDGMENT

(Judgement of the Court was made by S.VAIDYANATHAN, J.)

The present appeal has been filed against the order dated 12.03.2021 made in Review Petition No.33030 of 2013. The original order has not been challenged, as the learned single Judge has confirmed the original order in the writ petition in W.P. No.33030 of 2013 dated 05.12.2013.

2. In view of the same, we are not inclined to interfere with the order. This Court makes it very clear that, if the original order is interfered with, automatically Review order will go, as the Review has not been filed against the modified order, but against the confirmed order in writ petition. It is open to the appellant to challenge the original order and this Court will consider the same, when it is taken up for hearing.

3. In view of the same, the writ appeal is dismissed. No costs. Consequently connected miscellaneous petition is also closed.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

dpq

To

1. The Director of Higher Secondary School
Education, College Road,
Chennai - 600 006.

2. The Chief Educational Officer,
Erode District.



3.The District Educational Officer,
Erode District.

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+1cc to the Government Pleader Sr.52343, 52424

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srg 03/01/2022