



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.10.2021

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THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.No.22379 of 2021
and W.M.P.No.23628 of 2021

(Through Video Conferencing)

1.R.Saravanan
2.M.Palani

... Petitioners

Vs.

1.The Director of School Education,
Directorate of School Education,
DPI Campus, College Road,
Chennai - 600 006.

2.Teachers Recruitment Board,
Rep. by its Chairman,
4th Floor, EVK Sampath Maaligai,
College Road, Chennai - 600 006.

... Respondents

Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus, to direct the second respondent to issue notice to the petitioners to appear before the Expert Committee as per the interim order of this Court in W.P.No.662 of 2020 batch dated 20.02.2020 to substantiate their objections to the question paper and key answers for the subject Mathematics for which written examination was conducted on 29.09.2019 pursuant to Notification No.10/2019 dated 12.06.2019 and file the details in the format given by this Court in its order dated 22.02.2020 within a time.

For Petitioners: M/s.Nalini Chidambaram,
Senior Counsel for M/s.C.Uma

For R1 : Mr.L.S.M.Hasan Fizal, Govt. Adv.

For R2 : Mr.C.Kathiravan, Govt. Adv.



O R D E R

This Writ Petition has been filed for issuance of a Writ of Mandamus, to direct the second respondent to issue notice to the petitioners to appear before the Expert Committee as per the interim order of this Court in W.P.No.662 of 2020 batch dated 20.02.2020 to substantiate their objections to the question paper and key answers for the Mathematics subject for which the written examination was conducted on 29.09.2019 pursuant to Notification No.10/2019 dated 12.06.2019 and file the details in the format given by this Court in its order dated 20.02.2020.

2. Appearing on behalf of the petitioners, the learned Senior Counsel submits that though the interim order was passed as early as 20.02.2020 in W.P.No.662 of 2020 batch, the respondents have not complied with the said order of this Court.

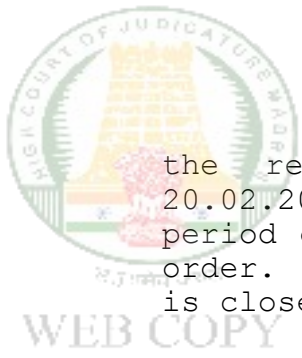
3. Appearing on behalf of the second respondent, the learned Government Advocate submits that this Writ Petition is not maintainable as the petitioners have to work out the remedy in W.P.No.662 of 2020 batch. He further submits that the second respondent also filed an appeal against the said interim order dated 20.02.2020 before the Division Bench of this Court vide W.A.SR.No.29450 of 2020.

4. Heard the learned Senior Counsel appearing for the petitioners and the learned Government Advocates appearing for the respondents and perused the interim order dated 20.02.2020 passed by this Court in W.P.No.662 of 2020 batch.

5. Though the petitioner ought to have filed a contempt petition for non-implementation of the interim order dated 20.02.2020 in W.P.No.662 of 2020 batch as it would be clear violation of the said order, the petitioner has chosen to file this Writ Petition perhaps for faster remedy considering the fact that it will take time to get order in the contempt petition.

6. The fact that the respondents have filed Writ Appeal before the Division Bench of this Court would not mean that the respondents are not bound by the interim order dated 20.02.2020 in W.P.No.662 of 2020 batch. The fact that till date, the said Writ Appeal has also not been numbered shows that the respondents are not seriously interested in the appellate remedy.

7. Considering the fact that the relief sought for in this Writ Petition is not going prejudice the respondents otherwise in absence of any further order jeopardizing the interim order dated 20.02.2020, this Writ Petition is disposed by directing



the respondents to comply with the interim order dated 20.02.2020 of this Court in W.P.No.662 of 2020 batch, within a period of four weeks from the date of receipt of a copy of this order. No cost. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1.The Director of School Education,
Directorate of School Education,
DPI Campus, College Road,
Chennai - 600 006.

2.The Chairman,
Teachers Recruitment Board,
4th Floor, EVK Sampath Maaligai,
College Road, Chennai - 600 006.

+1cc to Mrs.C.Uma, Advocate Sr.54151

W.P.No.22379 of 2021 and
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