



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2021

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.35135 of 2019 & 16048 of 2017
and
W.M.P.Nos.17346 & 17347 of 2017

Paavendhar Industrial School,
Rep.by its Principal, P.Thangam,
Varadharajapuram,
Mudichur, Tambaram,
Chennai - 600 048

... Petitioner in both the petitions

Vs.

1. The Commissioner/The Director,
Employment and Training Department,
Government of Tamilnadu,
Guindy,
Chennai - 600 0321st Respondent in W.P.No.16048 of 2017
- 2.The Deputy Director (Industrial School)
Department of Employment and Training,
Guindy, Chennai
- 3.The Joint Director (Zonal Training),
Chennai Zone,
Guindy, Chennai - 600 032
...2&3 Respondents in both the petitions

Prayer in W.P.No.35135 of 2019:

Petition filed under Article 226 of the Constitution of India to issue a Writ or order or direction and in particular a Writ of Certified Mandamus Calling upon the production of records relating to the proceedings dated 15.05.2019 made in Na.Ka.No.19313/Thopa 5/2015 passed by the 1st respondent herein, quash the same and direct the respondents to publish the results and issue certificate to the students who wrote the examination in August 2017.



Prayer in W.P.No.16058 of 2017:

Petition filed under Article 226 of the Constitution of India to issue a order or direction and in particular a Writ of Certorarifed Mandamus calling upon the production of records relating to the proceedings dated 16.09.2016 made in Na.Ka.No.19313/Thopa 5/2015 passed by the 1st respondent herein, quash the same and direct the 1st respondent to grant recognition for the period from 2016-2017 to the Paavendhar Industrial School at No.17/18, Shastri Nagar, Varadharjapuram, Mudichur, Tambaram, Chennai-600 048, for the acadmic year 2016-2017.

For Petitioner : Mr. S.Senthilnathan
For Respondents : Mr. M.R. Gokul Krishnan

O R D E R

The petitioner has filed this writ petition to issue a Writ or order or direction and in particular a Writ of Certified Mandamus Calling upon the production of records relating to the proceedings dated 15.05.2019 made in Na.Ka.No.19313/Thopa 5/2015 passed by the 1st respondent herein, quash the same and direct the respondents to publish the results and issue certificate to the students who wrote the examination in August 2017.

2.The case of the petitioner is that the petitioner filed a writ petition directing the 3rd respondent to permit the students of the petitioner institute to write the examination for the academic year 2016-2017 pending disposal of the above writ petition and further the petitioner filed the writ petition to quash the proceedings dated 16.09.2016 passed by the 1st respondent to grant recognition for period the period from 2016-2017. While entertaining the writ petition, this Court by its interim order dated 28.06.2017 issued a direction to the Respondents to permit the students of the petitioner institute, whose names are annexed to this order, who are admitted in the academic year 2016-2017 to attend the examination scheduled to take place on 29.06.2017 or any other future dates and to publish the results in the normal course, subject to the final order passed in the writ petition.

3.The learned Counsel appearing for the petitioner submits that subsequent to the Interim Order passed by this Court, the students who are admitted in the year 2016-2017, they successfully participated in the examinations. However, the results was not published due to the pendency of the writ petition, though this Court issued a direction to publish the result. Further, the learned Counsel appearing for the petitioner submits that after 2017, the institute was closed and the recognition no where required for future years.



Subsequently, for publication of results, the petitioner filed separate writ petition before this Court in W.P.No.35135 of 2018. Hence, this Court may issue a direction to the respondent to comply the order passed on 28/06/2017 in W.P.No.16058 of 2017 and W.M.P.Nos. 17346 & 17347 of 2017.

4.Learned Government Advocate appearing for the respondents submitted that the petitioner has not sought for recognition for future periods and further already this Court by its order dated 28/06/2017 issued a direction to the respondent to permit the petitioner to attend the examination scheduled to commence on 29/07/2017 and to publish the results. Till date the results was not published. However, the results is to be published in term of order of this Court in 28.06.2017 within a period of 6 weeks.

5.Heard the learned Counsel for the petitioner and learned Counsel for the respondents.

6.The fact in the present case is not in dispute. Earlier, the petitioner filed a writ petition for permitting the students for participating in the examination and recognition for the year 2016. It is admitted that the institute was closed and the petitioner did no seek for recognition for future years. Subsequently, this Court by its Order dated 28.06.2017 issued a direction to the respondent to allow the students to attend the examination scheduled to be commenced on 29.06.2017 and to publish the result. It appears that the results was not published as directed by this Court.

7. However, in view of the stand taken by the learned Counsel for the respondent without going into the merits of the issue, direction is issued to the respondents to publish the results and issue the certificate of the students within a period of 8weeks from the date of copy of this order.

8.Accordingly, W.P.No.35135 of 2019 is allowed with the above terms. In view of the order passed in W.P.No.35135 of 2019, no further orders are required to be passed in W.P.No.16058 of 2017 as the students have been allowed to write the examination and results are to be published and accordingly, this writ petition is also disposed. Consequently, the Connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner/The Director,
Employment and Training Department,
Government of Tamilnadu,
Guindy,
Chennai - 600 032 .

2. The Deputy Director (Industrial School)
Department of Employment and Training,
Guindy, Chennai

3. The Joint Director (Zonal Training),
Chennai Zone,
Guindy, Chennai - 600 032

+1 cc to Government Pleader Sr.NO.

+2 ccs to Mr.S.Senthilnathan, Advocate Sr.NO. 59196,59195

W.P.Nos.35135 of 2019 & 16048 of 2017
and

W.M.P.Nos.17346 & 17347 of 2017

PL(CO)

A.SK(08.12.2021)