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Rev.Appl



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :: 11.01.2024

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

AND

THE HONOURABLE MRS.JUSTICE R.KALAIMATHI

REVIEW APPLICATION No.13 of 2024

1.The Principal Secretary,
Teachers Recruitment Board,
College Road,
Chennai – 600 006.

2.The Director,
Teachers Recruitment Board,
College Road,
Chennai – 600 006.

3.The Member Secretary,
Teachers Recruitment Board,
College Road,
Chennai – 600 006.

...

Applicants

-VS-

1.K.Mahadevi

2.The Joint Secretary,
Department of School Education,
Secretariat,
Chennai – 600 009.

...

Respondents



Prayer: Review Application filed to review the judgment of this Court made in W.A.No.970 of 2023, dated 26.04.2023.

For Applicants : Mr.R.Neelakandan,
Addl.Advocate General,
for Mr.K.Sathishkumar.

For Respondent 1 : M/s.V.T.Narendiran &
A.P.Rajaprabhu

For Respondent 2 : Mr.R.Neelakandan,
Addl.Advocate General,
assisted by Mr.C.Selvaraj,
Addl. Govt.Pleader.

ORDER

(By *S.Vaidyanathan,J.*)

Mr.R.Neelakandan, learned Additional Advocate General, appearing for the review applicants, would submit that there should be a direction to second respondent in the Writ Appeal and the Review Application and that the appellant Board is only a recruiting agency. He would also submit that second respondent is the proper authority to make appointments. He, also arguing for second respondent, would submit that second respondent has already submitted before this Court that there are vacancies available.



2. What may, order of this Court cannot be flouted on technical grounds and the benefit of it has got to be extended. Hence, we are of the view that in case the writ petitioner is not appointed by second respondent pursuant to the order of this Court, dated 26.04.2023, passed in W.A.No.970 of 2023, as has been reviewed by this Court vide this Review Application No.13 of 2024, it is open for her to file contempt, and, thereafter, if this Court comes to the conclusion that there is wilful and deliberate disobedience of the order passed by this Court, we make it very clear that fine is secondary and imprisonment is primary. However, we grant a further time of one month from the date of receipt of this order to the authorities for compliance, if not already made.

3. Review Application is disposed of accordingly. No costs. Consequently, the connected C.M.P.No.866 of 2024 is closed.

[S.V.N.,J.] [R.K.M.,J.]
11.01.2024

Index: Yes / No
Internet: Yes / No
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S.VAIDYANATHAN, J.
&
R.KALAIMATHI, J.

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REV.APPL.No.13 of 2024

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