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W.A.Nos.71 and 75 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.07.2024

CORAM:

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR
AND
THE HON'BLE MR.JUSTICE K.KUMARESH BABU

W.A.Nos.71 and 75 of 2023
and
C.M.P.Nos.591, 596 and 599 of 2023

W.A.No.71 of 2023

1. Oil and Natural Gas Corporation Ltd.,
Rep. by its General Manager (Human Resources),
ONGC Recruitment Selection,
Tel Bhavan, Dehradun-248 003.
2. The General Manager (Human Resources) (R&P),
Oil and Natural Gas Corporation Ltd. (Southern Sector),
CMDA Towers, Egmore, Chennai-60 008.
3. The Chief Manager (Human Resources) (R&P),
Oil and Natural Gas Corporation Ltd. (Southern Sector),
CMDA Towers, Egmore, Chennai-60 008. ... Appellants/Respondents

-VS-

1. M.Vijay Anand ... R1 / Petitioner
2. State Board of Technical Education and Training,
Department of Technical Education,
Rep. by its Director of Technical Education (Polytechnics),
Directorate of Technical Education,
Chennai-600 025.



W.A.Nos.71 and 72 of 2023

3. CPCL Polytechnic College,
Rep. by its Principal
Nedunchezian Salai (Opp. SRF),
Manali, Chennai-600 068.

4. B.Sanjeevi
5. M.Masanam
6. T.Vignesh
7. L.Ayyappan
8. C.Sivasankar
9. P.Alex Raymond
10. U.Jawahar
11. B.Parthasarathy
12. M.Raja

... R2 to R12/R4 to R14

Prayer: Writ Appeal filed under Clause 15 of Letters Patent to allow the Writ Appeal, set aside the order in W.P.No.13854 of 2015 dated 27.10.2022 and consequently, dismiss the Writ Petition in W.P.No.13854 of 2015.

W.A.No.75 of 2023

1. Oil and Natural Gas Corporation Ltd.,
Rep. by its General Manager (Human Resources),
ONGC Recruitment Selection,
Tel Bhavan, Dehradun-248 003.
2. The General Manager (Human Resources) (R&P),
Oil and Natural Gas Corporation Ltd. (Southern Sector),
CMDA Towers, Egmore, Chennai-60 008.
3. The Chief Manager (Human Resources) (R&P),
Oil and Natural Gas Corporation Ltd. (Southern Sector),
CMDA Towers, Egmore, Chennai-60 008.

... Appellants/Respondents

-VS-

1. S.Ganesh

... R1 / Petitioner



W.A.Nos.71 and 72 of 2022

2. State Board of Technical Education and Training,
Department of Technical Education,
Rep. by its Director of Technical Education (Polytechnics),
Directorate of Technical Education,
Chennai-600 025.

3. CPCL Polytechnic College,
Rep. by its Principal
Nedunchezian Salai (Opp. SRF),
Manali, Chennai-600 068.

4. B.Sanjeevi
5. M.Masanam
6. T.Vignesh
7. L.Ayyappan
8. C.Sivasankar
9. P.Alex Raymond
10. U.Jawahar
11. B.Parthasarathy
12. M.Raja

... R2 to R12/R4 to R14

Prayer: Writ Appeal filed under Clause 15 of Letters Patent to allow the Writ Appeal, set aside the order in W.P.No.13855 of 2015 dated 27.10.2022 and consequently, dismiss the Writ Petition in W.P.No.13855 of 2015.

For Appellants : Mr.S.Raveendran, Senior Counsel
(both WAs.) For Mr.Mohammed Fayaz Ali
For R1 (both WAs.) : Mr.V.Prakash, Senior Counsel
For Mr.K.Krishnamoorthy

COMMON JUDGMENT

(By D.Krishnakumar,J.)

These Writ Appeals have been filed, challenging the common order of the learned Single Judge dated 27.10.2022 passed in W.P.Nos.13854 & 13855 of 2015, by



which Writ Petitions filed by the Writ Petitioners/1st Respondent herein were allowed with a direction to the 1st respondent therein to conduct an interview for the Writ Petitioners.

2. When these matters are taken up for hearing, learned Senior Counsel for the appellants submitted that aggrieved by the common order of the learned Single Judge, these Writ Appeals have been filed as early as on 23.12.2022. The Writ Petitioners have also filed Contempt Petition Nos.1563 and 1564 of 2023 for non compliance of the orders of this Court. It is also brought to the notice of this Court by the learned Senior Counsel for the appellants that the appellants have also filed Rev.Aplw.Nos.33 and 34 of 2023 before the learned Single Judge to review the order in respect of ascertaining the number of vacancies, in which, an interim order has been passed by the learned Single Judge.

3. In the considered opinion of this Court, when the Review Applications are pending before the learned Single Judge, any order being passed in these Writ Appeals will have a bearing on the Review Applications pending before learned Single Judge. Though learned Senior Counsel for the appellants strenuously argued that the said Review Applications had been filed only to ascertain as to how many posts should



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be kept vacant, as ordered by this Court in the interim order, we are not convinced with the argument for the reason that in that event, the remedy lies to the appellants to have filed Miscellaneous Petitions for clarification of the interim order, instead of invoking Review jurisdiction. Moreover, on a perusal of the grounds raised in the Review Applications, the appellants had also sought permission to raise additional grounds at the time of hearing the matters. Under such circumstances, it is not appropriate for this Court to hear these Writ Appeals and pass orders.

4. Hence, these Writ Appeals are disposed of, by granting liberty to the Appellants to file additional grounds, if any, in the Review Applications before the learned Single Judge, within a period of two weeks from the date of receipt of a copy of this judgment. It is made clear that till the disposal of the Review Applications, the Writ Court shall not precipitate the contempt proceedings. No costs. Consequently, connected Miscellaneous Petitions are closed.

[D.K.K., J.,]

[K.B., J]

01.07.2024

Index: Yes / No

Internet: Yes / No

Speaking Order/Non Speaking Order

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AND
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