



CONT.P(MD)No.620 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 20.03.2025

CORAM

THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

CONT.P(MD) No.620 of 2025

Kalaiyarasi

... Petitioner

vs.

1.P.Sri Venkata Priya
The Chairman,
Teachers Recruitment Board,
4th Floor, EVL Sampathu Maaligai,
College Road,
Chennai 600 006.

2.S.Jayanthi
The Chairman,
Teachers Recruitment Board,
4th Floor, EVL Sampathu Maaligai,
College Road, Chennai 600 006.
*(R2 has been impleaded vide
order dated 07.03.2025)*

... Respondents

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Court to punish the respondents herein for the deliberate and wilful disobedience of the order of this Court dated 30.10.2024 in W.P.(MD) No.16925 of 2022 under Section 11 of the Contempt of Courts Act, 1971.



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For Petitioner :Ms.A.Amala
For Respondents :Mr.V.R.Shanmuganathan
Standing Counsel

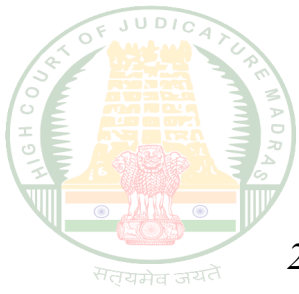
ORDER

This Contempt Petition has been filed for non compliance of the judgment and order passed by this Court in W.P.(MD) No.16925 of 2022, dated 30.10.2024.

2.Heard Ms.A.Amala, learned counsel for the petitioner and Mr.V.R.Shanmuganathan, learned Standing Counsel for the respondents.

3.This Court, vide order dated 07.03.2025, had passed the following order:-

“Heard Ms.A.Amala, learned counsel for the Petitioner and Mr.V.R.Shanmuganathan, learned Standing Counsel, accepts notice on behalf of the Respondent/S.Jayandhi, who is presently serving as the Chairman of the Teachers Recruitment Board, 4th Floor, EVK Sampath Maaligai, College Road, Chennai – 600 006. Therefore, no further notice is required to be issued to the Respondent.



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2.Ms.A.Amala, learned counsel for the petitioner, submits that the Teachers Recruitment Board of Tamil Nadu called for application through online mode for the Direct Recruitment of Special Teachers (Physical Education, Drawing, Music, Sewing) in School Education and Other Departments for the year 2012-2016 vide Notification No. 05/2017, dated 26.07.2017. The petitioner applied for the post of Drawing teacher (Special teacher) before the closing date of application i.e., on 18.08.2017 through Online mode. Thereafter, the petitioner appeared for the written examination conducted by the Respondent on 23.09.2017 and the results were published on 14.06.2018 in their official website, wherein, the petitioner bearing Roll No. 17ST22020254 was awarded with 48 marks. The certificate verification list was published on 07.04.2022. To the petitioner's sudden shock and surprise, her name was missing in the list of candidates called for certificate verification. Though the petitioner had secured 48 marks, her name was not found in the list of candidates called for Certificate Verification. The further case of the Petitioner is that one candidate viz., S.Thamilarasan, bearing Roll No. 17ST25020572 under MBC/DNC Community, who had secured 46 marks, which is lower than the marks of the



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WEB COPY *petitioner was placed in Serial No.34 and called for certificate verification on 07.04.2022. The petitioner possesses all eligible qualification as per Notification No. 05/2017, dated 26.07.2017 and obtained sufficient marks in the written examination. The petitioner had passed SSLC, Government Technical Examination in Freehand Outline and Model Drawing (Higher grade) and Technical Teachers' Certificate Course as on 18.08.2017. Thus, she is fully qualified with the qualification prescribed for the post of Drawing Teachers. Since no action was taken by the Respondents to consider the claim of the Petitioner, she filed a Writ Petition in W.P.(MD)No.16925 of 2022 and the learned Single Judge of this Court vide order dated 30.10.2024 allowed the aforementioned Writ Petition. For better appreciation, the relevant portion of the order is reproduced below:*

“26. In view of the factual matrix of the case and in the light of the order passed by this Court in similar case in W.P(MD)No.16064 of 2023, dated 22.03.2024, the respondent is directed to call forthwith the petitioner for certificate verification as per Rule 8 of the Notification No.05/2017, dated 26.07.2017. If the petitioner comes under zone of



WEB COPY *consideration, the respondent is directed to proceed with her appointment.*

27. In the result, the writ petition stands allowed with the above observations and directions. No costs”

3. The learned counsel for the Petitioner submits that, in compliance with this Court's order, the Petitioner has submitted a fresh representation dated 06.01.2025, accompanied by a copy of the judgment and order passed by this Court on 30.10.2024 in W.P.(MD)No.16925 of 2022, to the Respondent. A copy of the acknowledgement receipt is also annexed to the paper book of the petition. The learned counsel further submits that despite the judgment and order passed by this Court dated 30.10.2024 in W.P.(MD)No.16925 of 2022, the Respondents have not complied with the directions of this Court and they have wilfully and deliberately flouting the orders passed by this Court. Thus, the learned counsel submits that the Respondents have committed fraud upon this Court and are in contempt. He also submits that the Respondents may be summoned before this Court and punished for committing contempt by exercising the powers under Sections 11 and 12 of the Contempt of Courts Act, 1971.

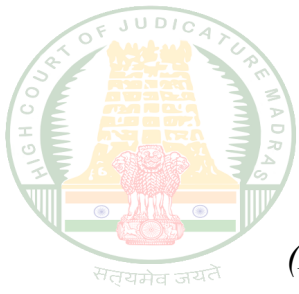


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4. *Upon perusing the judgment and order passed by this Court dated 30.10.2024 in W.P.(MD)No.16925 of 2022 as well as the affidavit filed in support of the contempt petition, which states that the respondents have not complied with the orders of this Court, this Court is of the view that the Respondents appear to have wilfully and deliberately disobeyed the order of this Court. Consequently, this Court deems it necessary to initiate proceedings against the Respondents for their alleged non-compliance with the said orders.*

5. *Mr.V.R.Shanmuganathan, learned Standing Counsel, for the Respondents requests time to ensure compliance with the Court's judgments dated 30.10.2024 in W.P.(MD)No.16925 of 2022. He also assure this Court that whatever order is passed by this Court will be fully complied with and requests 10 days time to ensure compliance with the said order.*

6. *In view of the assurance given by Mr.V.R.Shanmuganathan, learned Standing Counsel, for the Respondents, this Court grants the Respondent/ S.Jayandhi, who is presently serving as the Chairman of the Teachers Recruitment Board, 4th Floor, EVK Sampath Maaligai, College Road, Chennai – 600 006, a final opportunity to comply with the judgment and order of this Court dated 30.10.2024 in W.P.*



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(MD)No.16925 of 2022, without fail, within a period of 10 days from today. The Respondent is directed to communicate the decision taken by them to the Petitioner and to file an affidavit of compliance in this regard within a period of ten days from today. Failure to comply with the said order within the stipulated time frame will necessitate the Respondent personal appearance before this Court on the next fixed date.

7 Put up this case on 19.03.2025 “For Orders”.

8.Let a copy of this order is given to Mr.V.R.Shanmuganathan, learned Standing Counsel, for its necessary compliance and information to the Respondents.”

4.The learned counsel for the Petitioner submits that despite the judgment and order passed by this Court in W.P.(MD)No.16925 of 2022, dated 30.10.2024, the respondents have not complied with the directions of the Writ Court and they have wilfully and deliberately flouting the orders passed by this Court, dated 30.10.2024. Thus, the learned counsel submits that the respondents should be summoned before this Court and punished for committing contempt by exercising the powers under Sections 11 and 12 of the Contempt of Courts Act, 1971.



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5.Today, when the matter is taken up, Mr.V.R.Shanmuganathan, learned Standing Counsel for the respondents, in compliance of the order of this Court dated 07.03.2025, has filed a compliance affidavit, annexing a copy of the proceedings issued by the Controller of Examination, Teachers Recruitment Board, Chennai dated 18.03.2025, in which it has been stated that the judgment and order passed in W.P. (MD)No.16925 of 2022 dated 30.10.2024 has been complied with. The compliance affidavit filed by the second respondent is taken on record. A copy of the compliance affidavit and a copy of the proceedings of the second respondent dated 18.03.2025 has been given to the learned counsel for the petitioner. Thus, he submits that the respondents may be discharged from the present contempt proceedings, as the judgment and order of this Court dated 30.10.2024 has been fully complied with by the respondents and the petitioner was also given the benefit as directed by this Court.



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6.Ms.A.Amala, learned counsel for the petitioner submits that she has received a copy of the compliance affidavit of the second respondent as well as the copy of the order dated 18.03.2025. It was further submitted that she has no objection if the respondents are discharged from the present contempt proceedings, as the judgment and order of this Court in W.P.(MD) No.16925 of 2022, dated 30.10.2024 has been fully complied with and the present Contempt Petition may also be disposed of.

7.Accordingly, in view of the submissions made by the learned counsel for the parties, after perusal of the judgment and order passed in W.P.(MD) No.16925 of 2022, dated 30.10.2024 and the proceedings of the Controller of Examination, Teachers Recruitment Board, Chennai dated 18.03.2025, this Court satisfied that the direction issued by this Court in W.P.(MD) No.16925 of 2022, dated 30.10.2024 has been fully complied with by the respondents and there is no justification in continuing the present contempt proceedings against the respondents.



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8. Accordingly, the Contempt Petition is finally disposed of at this

stage and the respondents are discharged from the present contempt proceedings. No costs. The file is consigned to record.

Index : Yes / No
Internet : Yes / No
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20.03.2025

To

The Chairman,
Teachers Recruitment Board,
4th Floor, EVL Sampathu Maaligai,
College Road,
Chennai 600 006.



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SHAMIM AHMED, J.

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20.03.2025