



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Monday, the Eleventh day of September Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice BATTU DEVANAND

SUB A(MD). Nos.254 & 255 of 2023
in
CONT P.(MD). No 1003 OF 2023

K.Nanthakumar ... Petitioner/Petitioner/2nd Contemnor
(SUB A(MD). No.254 of 2023)

Kakarlausha ... Petitioner/Petitioner/1st Contemnor
(SUB A(MD). No.255 of 2023)

Vs

I. Chinnathai (Deceased)

1. G. Paraman
(Petitioners 2 are Legal heirs
of Deceased 1st Petitioners) ... 1st Respondent/1st Respondent/Petitioner
(in both SUB.APPLICATIONS)

2 Kakarlausha
The State of Tamil Nadu
Represented by its Secretary
School Education Department
Secretariat Chennai.

... 2nd Respondent/2nd Respondent/1st Contemnor
(in SUB A NO.254/2023)

2 Mr.K.Nanthakumar
Director of School Educationa
Now Commissioner of School Education,
Chennai.

... 2nd Respondent/2nd Respondent/
2nd Contemnor



(in SUB A NO.255/2023)

3 Vasantha
District Educational Officer
Tirunelveli District.

... 3rd Respondent/3rd Respondent/3rd Contemnor
(in both SUB.APPLICATIONS)

Prayer in SUB A(MD). No.254 of 2023

This Petition is filed under R/W section 151 of CPC To recall the bailable warrant issued to the petitioner/2nd Contemnor herein by this Honourable Court vide Order dated 31-08-2023 in the above Contempt Petition.

Prayer in SUB A(MD). No.255 of 2023

This Petition is filed under R/W section 151 of CPC To recall the bailable warrant issued to the petitioner/1st Contemnor herein by this Honourable Court vide Order dated 31-08-2023 in the above Contempt Petition.

Prayer in CONT P(MD). 1003/ 2023 :

Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondents/contemnors for willful deliberate disobedience of the order passed by this Honourable Court in W.P.(MD). No. 5213 and 2013 dated 03.10.2016 and pass such further or other orders as this Honourable Court may deem fit and proper in the circumstances of the case and thus render justice.



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Prayer in WP(MD). 5213/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the respondent to regularize the petitioner service in time scale and confer all consequential benefits and pass such further or other orders as may deem fit.

ORDER:- These Petitions coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.J.Ravindran Senior Counsel for Mr.V.Nirmal Kumar Advocate for the Petitioner this Court made the following order:

These Sub Applications are filed seeking to recall of the warrant issued by this Court against respondents 1 and 2 on 31.08.2023.

2. It appears that these petitions are filed under Section 151 of Code of Civil Procedure. The warrant recall petition is to be filed as per Section 70(2) of the Criminal Procedure Code.



3. Accordingly, these Sub Applications filed under Section 151 of Code of Civil Procedure is not maintainable and accordingly, these petitions are dismissed.

Sd/-

Assistant Registrar(CS III)

// True Copy //

/10/2023

Sub Assistant Registrar(CS)

TO

1. The Secretary ,
State of Tamil Nadu
School Education Department
Secretariat , Chennai.
2. The Director of School Educationa
Now Commissioner of School Education,Chennai.
3. The District Educational Officer
Tirunelveli District.



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ORDER DATED : 11/09/2023

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ORDER

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SUB A(MD).Nos.254 & 255 of 2023
in
CONT P.(MD). No 1003 OF 2023
Giving direction and etc.
as stated within.

MGJ(06.10.2023) 5P 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17.07.2023