

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.12.2014

CORAM

THE HONOURABLE MR.JUSTICE N.PAUL VASANTHAKUMAR
AND
THE HONOURABLE MR.JUSTICE P.R.SHIVAKUMAR

Contempt Petition No.2828 of 2014

1.M.D.Thangavel
2.A.Singarayar ... Petitioners

Vs.

1.D.Sabitha, I.A.S.,
Secretary To Government
School Education Department
Fort St. George
Chennai-9.
2.K.Elangovan,
Director of Elementary Education,
College Road,
Chennai-06.
Respondents

Petition under Section 11 of the Contempt of Courts Act, 1971 to punish the respondent for wilful disobedience of the order of this Court dated 15.11.2011 made in W.A.No.1701 of 2011.

For Petitioners:: Mr.S.M.Subramaniam
For Respondent :: Mr.K.Karthikeyan
Government Advocate (Education)

ORDER

(Order of the Court was delivered by
N.PAUL VASANTHAKUMAR, J.)

Heard Mr.S.M.Subramaniam, learned counsel appearing
<https://hcservices.ecourts.gov.in/hcservices/>
for the petitioners and Mr.K.Karthikeyan, learned

Government Advocate (Education) appearing for the respondents.

2. This contempt petition is filed for non-compliance of the direction issued in W.A.No.1701 of 2011, dated 15.11.2011 to extend the benefit of G.O.Ms.No.234, School Education Department dated 10.9.2009.

3. During the pendency of the contempt petition, the official respondents have fixed the pay and arrived at the salary payable in accordance with the said G.O.Ms.No.234 dated 10.9.2009 and the actual salary being received by each of the petitioners. In respect of 1st petitioner, the arrears of salary have also been paid and he has also received the same on 25.10.2014. In respect of the 2nd petitioner, either he is getting more pay or equal pay, while applying G.O.Ms.No.234 dated 10.9.2009.

4. The learned counsel appearing for the petitioners submits that the 2nd petitioner is apprehending that his pension may be reduced. The learned Government Advocate stated that pension will not be reduced. The said submission is recorded. The copy of proceedings of salary payable as per G.O.Ms.No.234 and the actual amount paid to the 2nd petitioner on his retirement was furnished to him.

fixation, it is open to him to challenge the same in separate proceedings.

5. The contempt petition is closed, with the above liberty.

bbr

SD/

DEPUTY REGISTRAR (CLAA)

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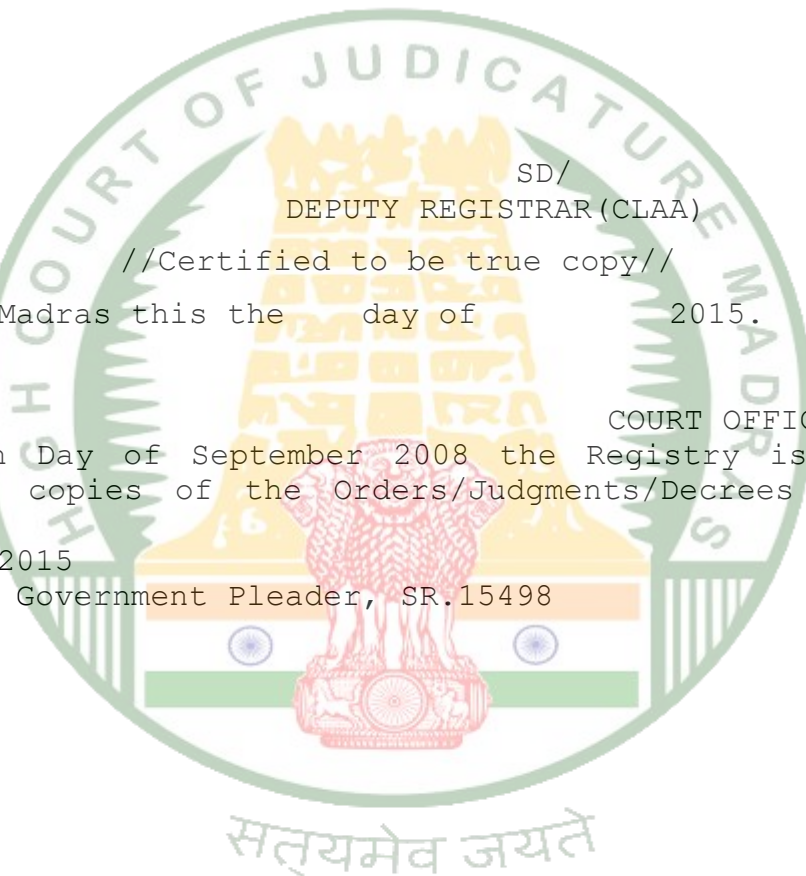
Dated at Madras this the day of 2015.

COURT OFFICER (O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.

CO/19/01/2015

One CC to Government Pleader, SR.15498



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