

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.2755 of 2013

1.A.Andiyappan
2.P.Arumugam
3.S.P.Dhanamani
4.P.Krishnaveni
5.M.Ranjeetha
6.P.Kanagambal ... Petitioners

-vs-

D.Sabitha, I.A.S.,
The Secretary To Government
School Education Department
Government of Tamil Nadu
Fort St. George
Chennai-600 009 ... Respondent

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 2.8.2011 made in W.P.No.9267 of 2011.

For Petitioners:: Mr.V.Thirupathi
For Respondent :: Mr.K.Karthikeyan
Government Advocate (Education)

ORDER

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

Heard Mr.V.Thirupathi, learned counsel appearing for the petitioners and Mr.K.Karthikeyan, learned Government Advocate (Education) appearing for the respondents.

2. This contempt petition is filed for non-compliance

<https://hcservices.ecourts.gov.in/hcservices/> of the direction issued in W.P.No.9267 of 2011, dated 2.8.2011 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. Out of 6 petitioners, in respect of 2 petitioners, the arrears of salary have also been paid and they have also received the same on 17.4.2014. In respect of the remaining petitioner Nos.1,3,5 and 6, either they are getting more pay or equal pay, while applying G.O.Ms.No.234 dated 10.9.2009. The individual proceeding of salary payable as per G.O.Ms.No.234 and the actual amount paid to each of the petitioners on their retirement was furnished to the said petitioners.

4. The apprehension of the petitioner Nos.1,3,5 and 6 is that the pension in respect of those four petitioners may be reduced based on the erroneous fixation now made in the orders. The learned Government Advocate appearing on behalf of respondent-Education Department submits that there will be no reduction in pension based on the said calculation. The said submission is recorded.

4. Recording the above submission, this contempt petition is closed. If the said petitioners are aggrieved by the orders passed, it is open to them to challenge the same in separate proceedings.

Bbr

SD/-

DEPUTY REGISTRAR(OS)

//Certified to be true copy//

Dated at Madras this the day of 2014.

COURT OFFICER(O.S.)

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SK/CO/27/01/2015

One CC to Government Pleader, SR.15496

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