



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Wednesday, the Twenty Third day of September Two Thousand Fifteen
PRESENT

The Hon`ble Mr.Justice T.RAJA

SUB A(MD) No.204 of 2015
IN

CONT P(MD) No.417 of 2015
IN WP(MD)12559 OF 2014

WEB COPY

M.GANESAN

BALIAH MARTHANDAM MEMORIAL HIGHER SECONDARY
SCHOOL, AVARAikulam - 627 133, RADHAPURAM
TALUK, TIRUNELVELI DISTRICT.

... PETITIONER/PETITIONER

Vs

1 THE STATE OF TAMIL NADU
REP BY ITS SECRETARY TO GOVERNMENT,
EDUCATION DEPARTMENT, FORT ST GEORGE, CHENNAI - 600 009.

2 THE DIRECTOR OF SCHOOL
EDUCATION, COLLEGE ROAD, CHENNAI - 600 006.

3 THE CHIEF EDUCATIONAL OFFICER
TIRUNELVELI DISTRICT, TIRUNELVELI.

4 THE DISTRICT EDUCATIONAL
OFFICER, CHERANMADEVI EDUCATIONAL DISTRICT,
TIRUNELVELI. ... RESPONDENTS/RESPONDENTS

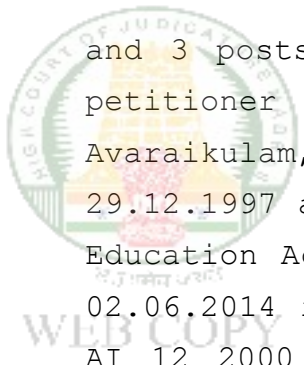
Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to allow this Sub-Application and Re-open the CONT P.(MD).No.417/2015 in WP.(MD). No.12559/2014 and award punishment to the respondent for their willful disobedience in implementing the order of this Honourable Court passed in WP.(MD).No.12559/2014 dated 22.12.2014.

Prayer in CONT P(MD). 417/ 2015 :

Contempt Petition filed Under Section 11 of the Contempt of Courts Act praying to punish the respondent for willful disobedience in implementing the order of this Honourable Court passed in W.P.(MD) No.12559 of 2014 dated 22/12/2014.

Prayer in WP(MD). 12559/ 2014 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the 1st respondent to sanction Additional 8 posts of B.T Teacher in the standard 6 to 8, 8 posts of B.T Teacher in the High School, 4 posts of Tamil Pandit



and 3 posts of Physical Education Teacher and totally 23 posts to the petitioner school namely Baliah Marthandam Higher Secondary School, Avaraikulam, Tirunelveli District as per G.O. Ms. No. 525 dated 29.12.1997 and Section 25 of the Right of Children to Free and Compulsory Education Act, 2009 and based upon the petitioner's representation dated 02.06.2014 in the light of the Supreme Court in the decision reported in AI 12 2000 SC 634 (Chandigarh Administration Vs. Rajini Ali) and full Bench Judgment reported in 2006 STC page 385

ORDER : This Sub Application on this day and upon perusing the petition and the upon hearing the arguments of M/S. K.K.KANNAN, Advocate for the petitioner and of MR.AAYIRAM K.SELVAKUMAR, GOVT.ADVOCATE, for the Respondents the court made the following order:-

Mr.Aayuram K.Selvakumar, learned counsel appearing for the respondents submitted that earlier, on the basis of the Government letter No.15748/D1/2010-1, dated 01.07.2010, the case of the petitioner was considered, as a matter of fact, it should have been on the basis of the direction given by this Court. Therefore, he sought for two weeks' time to reconsider the case of the petitioner on the basis of the direction of this Court.

2 Recording the statement, two weeks' time is granted, finally. Post the matter after two weeks, for compliance.

3 The Sub Application is ordered accordingly.

sd/-
23/09/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

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TIRUNELVELI.

COPY TO: THE SECTION OFFICER, CONTEMPT SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

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ORDER DATED:23.09.2015

ORDER

SUB A(MD) No.204 of 2015
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Giving directions etc., as
stated within.

JAM /19.10.2015/KBM-SARII/3P-6C