



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 16.09.2016

Coram

WEB COPY

**THE HON'BLE DR.JUSTICE S.VIMALA**

Cont P(MD)Nos.167 to 172 of 2016

D.Silvia Flavia .. Petitioner in Cont.P(MD)No.167/16  
J.Beryl Sheela .. Petitioner in Cont.P(MD)No.168/16  
S.Annie Cutie .. Petitioner in Cont.P(MD)No.169/16  
S.Lincy Mary Ponmani .. Petitioner in Cont.P(MD)No.170/16  
D.Jencylin Navarani .. Petitioner in Cont.P(MD)No.171/16  
J.Juliet Latha Jayakumari .. Petitioner in Cont.P(MD)No.172/16

Vs.

R.Pandian  
The Joint Director of Collegiate Education,  
Tirunelveli Region,  
Tirunelveli. .. Respondent in all the Petitions.

Contempt Petitions filed under Section 11 of Contempt of Court Act, 1971 praying to punish the respondent herein for deliberate and wilful disobedience of the orders of this Court dated 24/11/2015 in MP(MD) Nos.2 of 2015 in Writ Petition (MD) Nos. 20818 to 20823 of 2015 under Section 11 of the Contempt of Courts Act 1971.

Prayer in MP(MD). 2/ 2015 in WP(MD).20818/2015 :

To grant an Ad Interim Orders directing the 2nd respondent Joint Director to provisionally approve forthwith the appointment of petitioner as Assistant Professor in English in the 4th respondent college namely, Sarah Tucker College (Autonomous), Tirunelveli, and disburse the grant-in-aid towards her salary and allowances w.e.f. the date of appointment viz., 17.03.2014.

Prayer in WP(MD). 20818/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceeding issued by 2nd respondent Joint Director in A. Services Courts. Div in hcser00576/Aa3/2015 dated 14.09.2015, Quash the same, in so far as the petitioner is concerned, and further Direct the 2nd respondent Joint Director to approve forthwith the appointment of



the petitioner as Assistant Professor in English in the 4th respondent College Namely, Sarah Tucker College (Autonomous) Tirunelveli, and disburse the grant-in-aid towards her salary and allowances w.e.f. the date of her appointment viz. 17.03.2014 and pass such further or other suitable order.

Prayer in MP(MD). 2/ 2015 in WP(MD).20819/2015 :

To grant an AD INTERIM ORDERS directing the 2nd respondent Joint Director to provisionally approve forthwith the appointment of the petitioner as Assistant Professor in English in the 4th respondent College Namely, Sarah Tucker College (Autonomous) Tirunelveli, and disburse the grant-in-aid towards her salary and allowances w.e.f. the date of appointment viz.03.12.2014 within a reasonable time as may be specified by this Honble Court, pending disposal of the writ petition.

Prayer in WP(MD). 20819/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceeding issued by 2nd respondent Joint Director in A.Thi.Mu. No. 10076/Aa3/2015 dated 14.09.2015, Quash the same, in so far as the petitioner is concerned, and further Direct the 2nd respondent Joint Director to approve forthwith the appointment of the petitioner as Assistant Professor in English in the 4th respondent College Namely, Sarah Tucker College (Autonomous) Tirunelveli, and disburse the grant-in-aid towards her salary and allowances w.e.f. the date of her appointment viz., 03.12.2014 and pass such further or other suitable order.

Prayer in MP(MD). 2/ 2015 in WP(MD).20820/2015 :

To grant an Ad Interim Orders directing the 2nd respondent Joint Director to provisionally approve forthwith the appointment of petitioner as Assistant Professor in English in the 4th respondent College namely Sarah Tucker College(Autonomous), Tirunelveli and disburse the grant-in-aid towards her salary and allowances w.e.f. the date of appointment viz., 08.12.2014, within a reasonable time as may be specified by this Honble Court, pending disposal of the WP.

Prayer in WP(MD). 20820/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned proceedings issued by 2nd respondent Joint Director in A.Thi.Mu.No.10076/Aa3/2015 dt.14.09.2015, quash the same, in so far as the petitioner is concerned and further Direct the 2nd respondent Joint Director to approve forthwith the appointment of the petitioner as Assistant Professor in English in the 4th respondent College namely, Sarah Tucker College(Autonomous), Tirunelveli, and disburse the grant-in-aid towards her salary and



allowances w.e.f. the date of her appointment viz., 08.12.2014.

Prayer in MP(MD). 2/ 2015 in WP(MD).20821/2015 :

To grant an Ad Interim Orders directing the 2nd respondent Joint Director to provisionally approve forthwith the appointment of petitioner as Assistant Professor in Physics in the 4th respondent College namely, Sarah Tucker College (Autonomous), Tirunelveli, and disburse the grant-in-aid towards her salary and allowances w.e.f. the dated of appointment viz., 15.04.2014.

Prayer in WP(MD). 20821/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceeding issued by 2nd respondent Joint Director in A. Thi.Mu. No. 10076/Aa3/2015 dated 14.09.2015, Quash the same, in so far as the petitioner is concerned, and further Direct the 2nd respondent Joint Director to approve forthwith the appointment of the petitioner as Assistant Professor in Physics in the 4th respondent College Namely, Sarah Tucker College (Autonomous) Tirunelveli, and disburse the grant-in-aid towards her salary and allowances w.e.f. the date of her appointment viz., 15.04.2014 and pass such further or other suitable order.

Prayer in MP(MD). 2/ 2015 in WP(MD).20822/2015 :

To grant an AD INTERIM ORDERS directing the 2nd respondent Joint Director to provisionally approve forthwith the appointment of the petitioner as Assistant Professor in Physics in the 4th respondent College Namely, Sarah Tucker College (Autonomous) Tirunelveli, and disburse the grant-in-aid towards her salary and allowances w.e.f. the date of appointment viz., 11.12.2014 within a reasonable time as may be specified by this Honble Court, pending disposal of the writ petition.

Prayer in WP(MD). 20822/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceeding issued by 2nd respondent Joint Director in A. Thi.Mu. No. 10076/Aa3/2015 dated 14.09.2015, Quash the same, in so far as the petitioner is concerned, and further Direct the 2nd respondent Joint Director to approve forthwith the appointment of the petitioner as Assistant Professor in Physics in the 4th respondent College Namely, Sarah Tucker College (Autonomous) Tirunelveli, and disburse the grant-in-aid towards her salary and allowances w.e.f. the date of her appointment viz., 11.12.2014 and pass such further or other suitable order.

[https://hccourts.mca.gov.in/MP\(MD\)/](https://hccourts.mca.gov.in/MP(MD)/) Prayer in MP(MD). 2/ 2015 in WP(MD).20823/2015 :

To grant an Ad Interim Orders directing the 2nd respondent Joint Director to provisionally approve forthwith the



appointment of petitioner as Assistant Professor in Physics in the 4th respondent college namely, Sarah Tucker College (Autonomous), Tirunelveli, and disburse the grant-in-aid towards her salary and allowances w.e.f. the date of appointment viz., 28.03.2014 within a reasonable time as may be specified by this Hon'ble pending disposal of the WP.

Prayer in WP(MD). 20823/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned proceedings issued by 2nd respondent Joint Director in A.Thi.Mu.No.10076/Aa3/2015 dt.14.09.2015, quash the same, in so far as the petitioner is concerned and further Direct the 2nd respondent Joint Director to approve forthwith the appointment of the petitioner as Assistant Professor in Physics in the 4th respondent College namely, Sarah Tucker College(Autonomous), Tirunelveli, and disburse the grant-in-aid towards her salary and allowances w.e.f. the date of her appointment viz., 28.03.2014.

|                 |   |                                                                                  |
|-----------------|---|----------------------------------------------------------------------------------|
| For Petitioners | : | Mr.Isaac Mohanlal Senior Counsel<br>for Mr.T.Cibi Chakraborty<br>(all petitions) |
| For Respondent  | : | Mr.S.Kumar<br>Additional Government Pleader                                      |

### **COMMON ORDER**

This Court by the orders dated 24.11.2015, directed the second respondent to provisionally approve the appointment of the petitioners as Assistant Professors in the fourth respondent college and disburse the grant-in-aid towards their salary and allowances with effect from the date of their appointment within a period of four weeks from the date of receipt of a copy of the orders.

2.Contending that there is no compliance of the orders and the conduct exhibited by the respondent amounted to wilful disobedience to the orders passed by this Court, these Contempt Petitions have been filed.

3.The learned Additional Government Pleader has produced the communication issued by the Joint Director of Collegiate Education, Tirunelveli dated 08.09.2016, ordering approval of the petitioners in the post of Assistant Professors from the dates mentioned therein. In clause No.6, pay has also been fixed.

4.The learned counsel for the petitioners would submit that <https://hcservicescourts.gov.in/hcservices>, even after ordering approval, salary is not disbursed and that will drive the petitioners to file another contempt petition.



5.This apprehension is unnecessary, as sanctioning of salary is consequential to the approval of appointment.

6.Nothing survives for adjudication as the compliance has been reported. Hence, these contempt petitions are closed.

Sd/-

Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar

To

R.Pandian

The Joint Director of Collegiate Education,  
Tirunelveli Region,  
Tirunelveli.

+1 CC to Mr.T.CIBI CHARABORTHY, Advocate, SR No.53127

+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No.53163

Cont P(MD)Nos.167 to 172 of 2016  
16.09.2016

mj

SH/SS-3:25.10.2016:5P/4C