

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2017

CORAM

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

CONT.P.No.135 of 2017

A.Vasanthi

... Petitioner

Vs

1.Thiru. Rajendran

District Elementary Educational Officer,
Tiruvannamalai District,
Tiruvannamalai.

2.Thiru S.Vincent Jeyaraj

Additional Assistant Elementary Educational Officer,
Thuringapuram Union,
Tiruvannamalai District.

... Respondents

Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondents for wilfully disobeying the order passed in W.P.No.26384 of 2016 dated 28.07.2016.

For Petitioner : M/s.G.Sankaran

For Respondents : Mr.T.M.Pappiah,
Special Government Pleader

WEB COPY
ORDER

This contempt petition has been filed alleging that the order of this Court dated 28.07.2016 passed in W.P No.26384 of 2016 has been disobeyed by the respondents.

2. Heard the learned counsel for the petitioner and

the learned Special Government Pleader appearing for the respondents.

3. On a perusal of the documents placed before this Court by way of a typed set of papers filed along with this petition, it could be seen that by order of this Court dated 28.07.2016 in WP No.26384 of 2016, the petitioner was directed to treat the impugned order of the second respondent as a show cause notice and to submit her explanation to the said show cause notice, within a period of one week from the date of receipt of a copy of that order. The second respondent, after receiving the explanation, should pass orders on merits and in accordance with law, within a period of two weeks thereafter. The said order was duly communicated to the respondents by the petitioner through her Advocate. Thereafter, the second respondent passed an order dated 13.10.2016, rejecting the request made by the petitioner. Aggrieved against the same, the petitioner filed a writ petition in WP.No.38161 of 2016. During the pendency of the same, the present contempt petition came to be filed.

4. This Court is of the view that after taking into consideration all the factors and the relevant Government orders as well as the explanation submitted by the petitioner, the second respondent has passed the order dated 13.10.2016 in detail. Therefore, there is no wilful disobedience on the part of the respondents in complying with the order of this Court.

5. In the result, the contempt petition is dismissed. However, the petitioner is at liberty to raise all her contentions in the writ petition filed to challenge the order dated 13.10.2016.

SD/
JOINT REGISTRAR(OS)

//Certified to be true copy//

Dated at Madras this the day of 2017.

COURT OFFICER(O.S.)

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

SS/CO/20/03/2017

To

1.Thiru.Rajendran,
District Elementary
Educational Officer,
Tiruvannamalai District,
Tiruvannamalai.

2.Thiru.S.Vincent Jeyaraj,
Addl. Asst. Elementary Educational Officer,
Thirinjapuram Union,
Tiruvannamalai District.

One CC to Government Pleader, SR.2187/15.