



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.02.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

AND

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Contempt Petition (MD)No.985 of 2016

V.Franklin Jebasingh

: Petitioner

Vs.

1.Mrs.Sabitha, I.A.S.,
Secretary to Government,
Education Department,
Secretariat, Fort St. George,
Chennai-600 009.

2.Dr.S.Kannappan,
Director of School Education,
College Road,
Chennai-600 006.

3.Mr.S.Chandrasekaran,
District Educational Officer,
Tirunelveli.

: Respondents

PRAYER: Contempt Petition is filed under Section 11 of Contempt of Courts Act, 1971, praying to punish the respondents for having committed contempt of Court by disobedience of the order passed by this Court dated 03.03.2016, made in W.A.(MD)No.182 of 2016.

Prayer in WA(MD). 182/ 2016 :

The Writ Appeal has been filed to set aside the order dated 28.09.2015 made in WP.(MD).No.12231/2014.

Prayer in WP(MD). 12231/ 2014 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the respondents to pay the arrears of salary to the petitioner to the post of Office Assistant in the 4th respondent school with effect from 03.06.2009 by passing appropriate order on the representation submitted by the petitioner dated 07.06.2014 with consequential attendant benefits arrears of salary with interest, within a time frame to be fixed by this Honourable Court.

For Petitioner

: M/s.Lita Srinivasan

For Respondents

: Mr.VR.Shanmuganathan,

Special Government Pleader



ORDER

[Order of the Court was made by R.SUBBIAH, J]

The present Contempt Petition has been filed alleging non-compliance of the order passed by this Court dated 03.03.2016, made in W.A.(MD)No.182 of 2016.

2. This Court, by judgment dated 03.03.2016, while dismissing the Writ Appeal filed by the Correspondent, Schaffter Higher Secondary School, Tirunelveli, in W.A.(MD)No.182 of 2016, directed the Correspondent to pay interest and send necessary proposal for arrears of salary from 03.06.2009 to 21.01.2013 to the respondents herein. Though the proposal was sent by the School Management in this regard as early as on 24.03.2016, no steps were taken by the respondents herein to make payment and thereby, disobeyed the order passed by this Court dated 03.03.2016. Hence, the present Contempt Petition.

3. Today, when the Contempt Petition was taken up for consideration, the learned Special Government Pleader has submitted that the order of this Court has been complied with subject to the result of review application filed by the respondents as against the order passed in W.A.(MD)No.182 of 2016. To prove the said fact, the learned Special Government Pleader has also produced a copy of the proceedings dated 24.08.2016 sent by the District Educational Officer, Tirunelveli to the Correspondent, Schaffter Higher Secondary School, Tirunelveli.

4. In view of the submission made by the learned Special Government Pleader, since the order has been complied with, the Contempt Petition is closed as nothing survives for adjudication.

Sd/-

Assistant Registrar(RTI)

/True copy/

Sub Assistant Registrar

To

1.Mrs.Sabitha, I.A.S.,
Secretary to Government,
Education Department,
Secretariat, Fort St. George,
Chennai-600 009.

2.Dr.S.Kannappan,
Director of School Education,
Co. Education Division,
Chennai-600 006.



3.Mr.S.Chandrasekaran,
District Educational Officer,
Tirunelveli.

SML

AE/MR/21.02.2017/3P/4C

Order made in
Contempt Petition (MD)No.985 of 2016
Dated: 10.02.2017