

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 11.07.2018

CORAM:

THE HON'BLE MR. JUSTICE T.RAJA

Contempt Petition No.1132 of 2018

P.Jawaharlal Nehru

... Petitioner

Vs.

Mr.Siva Mathivanan,
The District Elementary Educational Officer,
Villupuram District, Villupuram.

... Respondent

Contempt Petition filed under Section 11 of Contempt of Courts Act, praying to punish the respondent for wilfully disobeying the order passed in W.P.No.2100 of 2018 dated 01.02.2018.

For Petitioner : Mr.A.S.Kaizer

For Respondent : Mr.K.Karthikeyan,
Government Advocate

O R D E R

The learned counsel for the petitioner submitted that the petitioner has been working as Secondary Grade Assistant Teacher from 16.11.2016 with all the requisite qualification. He has also passed the Teachers Eligibility Test Paper-I in August 2013. Although the Staff Fixation order passed by the Chief Educational Officer in the year 2016 shows that the petitioner's School is entitled to have

1 Headmaster and only 5 Secondary Grade Teachers (i.e.) 1 + 5. Subsequently, the Staff Fixation order passed in the year 2017 clearly shows the increase in the teachers strength from 5 Secondary Grade Teachers to 7, excluding the Headmaster (i.e.) 1 + 7 Secondary Grade Teachers. As the petitioner is coming within the Staff Fixation order, a direction be given to the respondent to accept the proposal sent by the 4th respondent School granting approval only from the academic year 2017 and the petitioner will not claim any salary prior to the academic year 2017.

2.The learned counsel appearing for the petitioner submitted that the petitioner will not claim any benefits for the period already worked till 2016.

3.Since the District Elementary Educational Officer, Ulundurpet, Villupuram District has fixed 7 Secondary Grade Teachers and 1 Headmaster for the academic year 2017, the Correspondent of D.M. Primary School, Thirunavalur, Villupuram District is hereby directed to send a fresh proposal within one week from the date of receipt of a copy of this order, along with a copy of this order to the Additional Assistant Elementary Educational Officer,

Thirunavalur, Villupuram/3rd respondent in the Writ Petition along with his recommendations. On receipt of the same, the Additional Assistant Elementary Educational Officer, Thirunavalur, Villupuram shall forward the recommendations to the District Elementary Educational Officer, Villupuram District/2nd respondent in the Writ Petition. Thereafter, the District Elementary Educational Officer shall consider the grant of approval to the petitioner only from 01.09.2017. The above exercise shall be completed within four weeks time.

4. With the above direction, the Contempt Petition is disposed of.

SD/-
ASSISTANT REGISTRAR (COMM. CASES)

//CERTIFIED TO BE TRUE COPY//

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DATED AT MADRAS THIS THE DAY OF 2018.

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/07/08/2018

One CC to Mr. A.S. Kaizer, High Court, Sr.No.9573

To

The District Elementary Educational Officer,
Villupuram District, Villupuram.

