

IN THE HIGH COURT OF JUDICATURE AT MADRAS**DATED: 14.06.2019****CORAM:****THE HONOURABLE MR. JUSTICE M.S.RAMESH****Cont.P.No.355 of 2019**

Sri Kumaragurpara Swamigal Middle School,
Rep. by its Secretary/Correspondent,
Thiruloki, Kumbakonam,
Thanjavur District.

... Petitioner

Vs.

Dr.A.Karuppasamy,
The Director of Elementary Education,
College Road, Chennai - 600 006.

... Respondent

PRAYER: Contempt Petition filed under Section 11 of the Contempt of the Courts Act praying to punish the respondent for willful disobedience and sheer negligence for not complying with the order passed in W.P.No.29216 of 2004, dated 16.08.2018.

For Petitioner : M/s.Usha Ramman

For Respondent : Mr.K.Karthikeyan, GA

ORDER

The petitioner has filed the present contempt petition on the ground that the order of this Court dated 16.08.2018, passed in W.P.No.29216 of 2004, has not been complied with, since the surplus teacher has not been

deployed to the petitioner School.

2. On a perusal of the order dated 16.08.2018, it is seen that there was a direction to the second respondent to consider the petitioner's request for deploying surplus teacher as found in the proceedings dated 18.01.2017 or the surplus teacher from any other School under the Management of the petitioner School and pass suitable orders within a stipulated time. There is no positive direction in the order of this Court for deployment.

3. The learned Government Advocate representing the respondent submitted that pursuant to the order of this Court, the second respondent therein has complied with the same in proceedings dated 28.11.2018, wherein the petitioner's request was rejected.

4. If the petitioner is of the view that the present order dated 28.11.2018, is not in conformity with the proceedings dated 18.01.2017 or the prevailing law, it is always open to them to challenge the same in a manner known to law.

5. With the above liberty, the contempt petition stands closed, on the ground that there is no disobedience of the order of this Court in W.P.No.29216 of 2004, dated 16.08.2018. No costs.

SD/-

ASSISTANT REGISTRAR (COMM.CASES)

vum

//Certified to be true copy//

Dated at Madras this the day of 2019.

COURT OFFICER (O.S.)

from 25th day of September 2008 the Registry is issuing Certified copies of the Orders/Judgments/Decrees in this format.

Sm/02/07/2019

To

1. The Director of Elementary Education,
College Road, Chennai - 600 006.
2. The Public Prosecutor,
High Court, Madras.

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