

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2019

CORAM

THE HONOURABLE Mr. JUSTICE R. SURESH KUMAR

**Contempt Petition No.605 of 2018
and Sub A.No.662 of 2018
in
W.P.No.18229 of 2009**

S.Rajathi

...Petitioner

Vs

1. Thiru.Karuppusamy
The Director of Elementary Education,
DPI Compound, College Road,
Nungambakkam, Chennai - 600 006.
2. Thiru.Jayapalan
The District Elementary Educational Officer,
Madurai District,
Madurai.
3. Thiru.Vijayaraj
The Additional Assistant Elementary
Educational Officer,
Madurai South,
Madurai.

...Respondents

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, seeking to punish the respondents for wilfully disobedience the order passed in W.P.No.18229 of 2008, dated 22.03.2017.

For Petitioner
For Respondents

: Mr.S.N.Ravichandran
: Mr.C.Munusamy, Spl. Gp
(Education)

ORDER

This Contempt Petition has been filed for the alleged disobedience of the orders of this Court made in W.P.No.18229 of 2008, dated 22.03.2017.

2. Today when the case is taken up, Mr.C.Munusamy, learned Special Government Pleader for Education has produced a copy of the order of the Hon'ble Supreme Court in Special Leave Petition (Civil)...Diary No.1327/2019, dated 25.01.2019, where the Hon'ble Supreme Court has passed the following order :

"Delay condoned

We do not find any good ground to interfere with the impugned order passed by the High Court,

We, however, permit the petitioners to approach the High Court by filing a review application with regard to ground in the memo of appeal that even if respondent was to be approved then she could be approved only from the date of completion of psychology training which was completed on 05.10.2016 and the payment of all benefits of service ought to have been with effect from 05.10.2016 on which date the respondent completed the training. We further grant liberty

<https://hcservices.ecourts.gov.in/hcservices/> to the appellants to come again in event the order is passed against them. With

the aforesaid liberty, the Special leave
Petition is disposed of.

Pending application(s), if any, stands
disposed of."

3. By producing this order, the learned Special Government Pleader submits that, already by proceedings in g/K/f/4541-m5-2018. dated 22.11.2018, orders have been issued regularising the services of the petitioner from the dates he completed the child psychology training, therefore she would be entitled to get all service benefits from that date. He would further submit that, only in respect of the petitioner's entitlement to claim regularisation and service benefit from the date of appointment originally made, the issue can be once again heard by this Court by way of review application, for which an opportunity has already been granted by the Hon'ble Supreme Court, in the order referred to above, to the respondents and therefore in this regard, the learned Special Government Pleader submits that, already review has been filed and he seeks some reasonable time to bring the review for hearing.

4. The said submission of the learned Special Government Pleader has been considered, in the light of the orders passed by the Hon'ble Supreme Court.

5. In case even according to the order, dated 22.11.2018, the respondents have not paid the salary and the other benefits payable to the petitioner within a period of two weeks from the date of receipt of a copy of this order, it is open to the petitioner to revive this contempt petition, by filing appropriate application.

With the above liberty, this contempt petition is closed for the time being. Consequently, connected Sub Application is also closed.

SD/-
ASSISTANT REGISTRAR (COMM.CASES)

tsvn

//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.

PS/11/02/2019

To

1. Thiru.Karuppusamy
The Director of Elementary Education,
DPI Compound, College Road,
Nungambakkam, Chennai - 600 006.
2. Thiru.Jayapalan
The District Elementary Educational Officer,
Madurai District, Madurai.
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