

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 19.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE SUBRAMONIUM PRASAD

Contempt Petition No. 937 of 2019

B.Uma Maheswari

... Petitioner

Vs.

1. Thiru.Pradeep Yadav, I.A.S.,
Principal Secretary to Government,
School Education Department,
Secretariat, Fort St.George,
Chennai - 600 009.

2. Thiru.Rameswara Murugan,
The Director of School Education,
DPI Campus, College Road,
Chennai - 600 006.

3. Tmt.Suganya,
The Joint Director of School Education (Vocational),
Directorate of School Education,
DPI campus, College Road,
Chennai - 600 006.

4. Thiru.Angelo Irudhayasamy,
The Chief Educational Officer,
Kancheepuram District.

5. Tmt.V.Veeralakshmi,
The Head Master,
Government Higher Secondary School,
Anakaputhur, Chennai - 600 070.

... Respondents

Prayer: The Contempt Petition has been filed under Section 11 of Contempt of Courts Act, 1971 praying to punish the respondents herein for his deliberate and willful disobedience of the order dated 28.09.2018 passed in W.P.No.14555 of 2017 on the file of this Hon'ble Court.

<https://hcservices.ecourts.gov.in/hcservices/>

For Petitioner : Mr.G.Sankaran
For Respondents : Mr.P.Raja, GA

ORDER

The non-compliance of the order dated 28.09.2018 in WP.No.14555 of 2017, is the subject matter of the contempt petition. The respondents have passed an order on 14.08.2019, stating that the petitioner is not entitled for the incentive increment for the reason that he acquired MBA in Sports Management which is not a higher qualification entitling to incentive increment. Mr. G.Sankaran, learned counsel for the petitioner states that this is a mere lip service to the order of the learned Single Judge, non-compliance of which is being complained. Mr.Sankaran, learned counsel for the petitioner states that the defense has been raised in the counter therefore cannot be raised in the contempt or the order to reject the case of the petitioner. Though the argument of Mr.G.Sankaran, learned counsel for the petitioner is attractive, but this Court cannot go into this question at this stage of the contempt petition.

2. It is open to the petitioner to file a writ petition challenging the correctness of the order dated 14.08.2019 to establish that the MBA in Sports Management is an allied course which is a higher qualification entitling the petitioner to an incentive increment.

3. With these observations, contempt petition is disposed of.

SD/-

ASSISTANT REGISTRAR (COMM.CASES)

pkn

//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.

Smi/10/10/2019

To,

1.The Principal Secretary to Government,
School Education Department,
Secretariat, Fort St.George,
Chennai - 600 009.

2. The Director of School Education,
DPI Campus, College Road,
Chennai - 600 006.

3. The Joint Director of School Education (Vocational),
Directorate of School Education,
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4. The Chief Educational Officer,
Kancheepuram District.

5. The Head Master,
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