



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **16.10.2019**

CORAM:

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

**Cont.P(MD)No.908 of 2018**

**in**

**W.P. (MD)No.1777 of 2007**

WEB COPY

P.Mullaivendhan : Petitioner/Petitioner  
Vs.

1.Elangovan  
Director of School Education,  
Chennai - 6.

2.Ramakrishnan,  
Chief Educational Officer,  
Tiruchirappalli.

3.Kuili Elizabeth Rani,  
District Educational Officer,  
Musiri,  
Tiruchirappalli District. : Contemnors/Respondents

**PRAYER:** Contempt Petition is filed under Section 11 of the Contempt of Courts Act, 1971, praying to punish the Contemnors for willful deliberate disobedience of the order passed by this Court made in W.P.(MD)No.1777 of 2007, dated 19.07.2012 confirmed in W.A.(MD) No.656 of 2013, dated 19.04.2017.

**Prayer in WP(MD). 1777/ 2007 :**

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandmaus, calling for the records relalting to the order passed by the second respondent in Na.Ka.No. 2320/Aa 2/06 dated 28/07/2006 and quash the same, and direct the respondents to promote the petitioner as headmaster-High School, from the date on which his juniors were promoted, and confer all the consequential benefits.

For Petitioner : Mr.V.Panneerselvam  
For Respondents : Mr.N.Shanmugaselvam  
Additional Government Pleader

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**ORDER**

The Writ Petition was filed for issuing a Writ of Certiorarified Mandamus to quash the proceedings of the Chief Educational Officer, dated 28.07.2006 and to direct the respondents to promote the petitioner as Headmaster of High School from the date of on which his juniors were promoted and to confer all the consequential benefits.



2.This Court, by order dated 19.07.2012, issued the following directions:

"17.For all the aforesaid reasons, the impugned order is quashed and the respondents are directed to consider the claim of the petitioner for inclusion in the panel of promotion to the post of Headmaster of High School for the year 2006-2007 by taking into account the service of the petitioner from 20.01.1984 as Tamil Pandit and to promote him from the date on which his Junior teacher was promoted, with all monetary benefits, if any of his junior was promoted. The respondents are further directed to complete the aforesaid exercise, within a period of three months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed."

3.Though the order was passed in the Writ Petition on 19.07.2012, there was a further appeal as against the order in the Writ Petition and even after dismissal of the Writ Appeal, a Special Leave Petition was stated to have been preferred and it was also dismissed on 10.05.2019. It is in these circumstances, the learned Special Government Pleader produced before this Court a copy of the proceedings of the Director of School Education dated 11.10.2019 complying with the direction by promoting the petitioner from the date on which his juniors were promoted as per the direction of this Court. In the same order, further direction also was issued to fix salary and to grant monetary benefits. Since the order has been passed only on 11.10.2019, learned Special Government Pleader would submit that three months time may be given for calculating the monetary benefits that is payable to the petitioner. Hence, this Contempt Petition is closed. However, the respondents 2 and 3 are directed to disburse the monetary benefits to the petitioner within a period of three months from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

Sub Assistant Registrar(CS)

srm



To

1.Mr.Elangovan  
Director of School Education,  
Chennai - 6.

2.Mr.Ramakrishnan,  
Chief Educational Officer,  
Tiruchirappalli.

3.Mrs.Kuili Elizabeth Rani,  
District Educational Officer,  
Musiri,  
Tiruchirappalli District.

+ 1cc to M/s.Special Government Pleader, SR.No.92511

**ORDER MADE IN**  
**Cont.P(MD)No.908 of 2018**  
**in**  
**W.P. (MD)No.1777 of 2007**  
**16.10.2019**

KK/SAR/06.11.2019/3P-5C/