

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 4/12/2020

C O R A M

THE HONOURABLE MR. JUSTICE **M.M. SUNDRESH**
AND

THE HONOURABLE Mr. JUSTICE **M.DHANDAPANI**

Contempt Petition No.1070 of 2020

T.Sudha

... Petitioner

Vs

1. Anitha,
Chief Educational Officer,
Panagal Maligai, Saidapet,
Chennai 15 (presently at Egmore, Chennai -8)

2. G. Shanmugavel (i/c),
District Educational Officer,
Chennai Central, Saidapet,
Chennai 15.

3. N. Sivaramakrishnan,
Secretary & Correspondent,
Gopalapuram Boys Higher Secondary School,
No.11, Conran Smith Road,
Gopalapuram,
Chennai 86.

... Respondents

Petition filed under Section 11 of Contempt of Courts Act, to
punish the respondents for willfully disobeying the orders passed in

W.A.No.1184 of 2018, dated 7/6/2018.

For petitioner ... Mr.G. Sankaran

For respondents ... Mr.C. Munusamy
Special Government Pleader

ORDER

(Delivered by M.M.SUNDRESH,J)

Instant Contempt Petition has been filed to punish the respondents for willfully disobeying the orders passed in W.A.No.1184 of 2018, dated 7/6/2018.

2. Heard Mr.G.Sankaran, learned counsel for the petitioner and Mr.C.Munusamy, learned Special Government Pleader for the respondents.

3. Learned counsel appearing for the petitioner submitted that learned Single Judge rejected the request made for salary. Order of status-quo cannot be understood otherwise. Appeal filed by the petitioner has been allowed. Therefore, the contemnors will not be haul for contempt.

4. Mr.C.Munusamy, learned Special Government Pleader appearing for the respondents submitted that petitioner is receiving the salary as on today.

5. We do not find any willful disobedience in the order passed by the Division Bench. It is stated that order of status-quo as on date shall be maintained. Status-quo means the appellant in W.A.No.1184 of 2018 was admittedly working as P.G.Assistant (English) on 7/6/2018. The same position continues as on today. Thus, payment of salary for the said post in which the appellant is working from the date of passing of the order till now cannot be considered as the willful disobedience of the order passed. Admittedly, writ petitions are pending and the order passed by the Division Bench has become final inter se parties. In such a view of the matter, we do not find any contumacious act on the part of the respondents.

6. Though the learned counsel appearing for the petitioner submitted that the learned Single Judge has rejected the prayer for payment of salary, we are concerned with the compliance of the order of the Division Bench referred supra, when the Division Bench has passed an order of status-quo which would apply to the employment and the consequential salary as well. Thus, we do not find any willful disobedience involved even on that score.

7. Accordingly, **Contempt Petition is closed.** However, considering the submission of the learned counsel for the petitioner that notwithstanding the order obtained in her favour, by virtue of the orders

passed by this Court, on a prima facie consideration, the appellant has been enjoying the position along with perks, we deem it appropriate to direct the learned Single Judge to take up all the writ petitions and dispose of the same within a period of three months from the date of receipt of a copy of this order. We further note that even while passing the order in W.A.No.1184 of 2018, Division Bench has requested the learned Single Judge to dispose of the pending writ petition, within a period of two months, from the date of receipt of a copy of this order.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

mvs

//Certified to be true copy//

Dated at Madras this the day of 2020.

COURT OFFICER(O.S.)

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SMI/15/12/2020

To

1. The Chief Educational Officer,
Panagal Maligai, Saidapet,
Chennai 15 (presently at Egmore, Chennai -8)

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

2. The District Educational Officer,
Chennai Central, Saidapet,
Chennai 15.

3. The Secretary & Correspondent,
Gopalapuram Boys Higher Secondary School,
No.11, Conran Smith Road,
Gopalapuram,
Chennai 86.

4. The Section Officer,
Writ Section,
High Court,
Madras.



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