



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.01.2020**

CORAM:

THE HONOURABLE **MR. JUSTICE M.S.RAMESH**

CONT.P. (MD)No.988 of 2019

in

W.P.(MD)No.8632 of 2019

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S.Rajaiyan

...Petitioner / Petitioner

/vs./

1.Pradeep Yadav,

The Secretary to Government,

Education Department,

Secretariat, St.George Fort, Chennai.

2.Rameswara Murugan,

The Director of School Education,

College Road, Nungambakkam,

Chennai - 600 006.

3.Chenthilvel Murugan,

The Chief Educational Officer,

Nagercoil, Kanyakumari District.

4.Munusamy,

The District Educational Officer,

Kuzhithurai at Marthandam,

Kanyakumari District.

...Contemnors/Respondents 1

to 4

PRAYER: Petition filed under Section 11 of the Contempt of Court Act, to summon the respondent herein to punish the contemnors/respondents 1 to 4 for the willful disobedience of the order dated 10.04.2019 passed in W.P.(MD)No.8632 of 2019 by this Court.

Prayer in WP(MD). 8632/ 2019 :

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the records in O.Mu. No.318/A1/19 dated 14.03.2019 on the file of the 4th respondent and quash the same and directing the respondents to regularize the service of the petitioner as Full-Time sweeper on the date of completion of ten years of part time service from 01.06.1981 and to pay time scale of pay and other benefits payable with effect from 01.06.1991 by counting the 50% of part time services for the purpose of pension.



For Petitioner : Mr.R.Maheswaran
For Respondents : Mrs.S.Srimathy
Special Government Pleader

ORDER

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The order against which the contempt has been filed directed the respondents to pass fresh orders in line with the earlier orders passed by this Court in W.P.(MD)Nos.15808 and 15809 of 2018 dated 14.02.2019.

2. It is now brought to the notice of this Court that the orders in W.A.(MD)No.93 of 2018 has been challenged by the respondents before the Hon'ble Apex Court in S.L.P.(CIVIL) Diary No.38123 of 2018 and by order dated 08.02.2019, the order in W.A.(MD)No.93 of 2018 has been stayed by the Hon'ble Apex Court. Since it may take some time for the Special Leave Petition to be disposed of, it would not be conducive to keep the present contempt petition pending. If the petitioner is granted liberty to redress his grievances after disposal of the Special Leave Petition depending on its outcome, ends of justice could be secured.

3. With the above observations, this Contempt Petition stands closed with liberty to the petitioner to file a fresh contempt petition, if he is advised to do so, based on the outcome of the Special Leave Petition.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1.Pradeep Yadav,
The Secretary to Government,
Education Department, Secretariat,
St.George Fort, Chennai.

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



3.Chenthilvel Murugan,
The Chief Educational Officer,
Nagercoil, Kanyakumari District.

4.Munusamy,
The District Educational Officer,
Kuzhithurai at Marthandam, Kanyakumari District.

+1 CC to SPL.GP (SR-3194[F] dated 27/01/2020)

+1 CC to Mr.R.MAHESHWARAN, Advocate (SR-3209[F] dated 27/01/2020)

Order made in
CONT.P.(MD)No.988 of 2019
in
W.P.(MD)No.8632 of 2019
24.01.2020

VB(17.02.2020) 3P 7C