



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 01.04.2021**

**CORAM:**

**THE HONOURABLE MR.JUSTICE M.DHANDAPANI**

**Cont.P. (MD)No.113 of 2020**

**in**

**W.P. (MD) .No.7890 of 2012**

L.Lawrence Maria Anthuvan ... Petitioner/Petitioner  
Vs.

1.Ms.S.Shanthi,  
Chief Educational Officer,  
Syed Murthusha Hr. Secondary School Compound,  
Palakarai,  
Trichy -8.

2.Mr.Bharathi Vivekanandam,  
District Educational Officer,  
District Educational Office,  
Collectorate,  
Trichy -1.

3.Mr.Chinnappan,  
Correspondent,  
R.C.Higher Secondary School,  
represented by on behalf of Bishop,  
The Roman Catholic Diocese of  
Tiruchirapalli Society,  
Cantonment,  
Trichy District.

3<sup>rd</sup> respondent is impleaded in Sub.A.(MD).No.54 of 2020 in Cont.P.  
(MD).No.113 of 2020 vide Court order dated 05.02.2021.

... Respondents

**Prayer:** Contempt Petition is filed under Section 11 of the Contempt of Courts Act, 1971, to punish the respondents 4 and 5/contemnors for their deliberate and wilful disobedience of the order of this Court in W.P.(MD).No.7890 of 2012, dated 10.06.2019.

**Prayer in WP(MD) . 7890/ 2012 :**

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, pertaining to the alleged appointment of the 6th respondent in ab-initio, void, illegal by ultra virising the powers of statue, where he has no right to sit as a P.G. Assistant Cum Head Master and Correspondent, as per the illegal proceedings initiated by the 1st respondent.



For Petitioner : Mr.R.Murugesan  
For R1 & R2 : Mrs.S.Srimathy  
Special Government Pleader  
For R3 : Mr.Isaac Mohanlal  
Senior counsel for M/s. Isaac Chambers

WEB COPY

**ORDER**

Alleging disobedience of the order of this Court in W.P.(MD). No.7890 of 2012, dated 10.06.2019, the petitioner has filed the present contempt petition.

2. This Court, by order dated 10.06.2019 in W.P.(MD).No.7890 of 2012, issued the following directions:

*"In other words, if the writ petitioner is eligible to receive all the terminal benefits as per the Rules, the respondent Nos.4 and 5 are bound to initiate appropriate action to do needful to the writ petitioner for the purpose of receiving pensionary and retirement benefits."*

However, it appears that the petitioner was dismissed from service and till date, the dismissal order was not approved by the educational institution and in view of the dismissal order, the terminal benefits are not settled to the petitioner.

3. The learned Special Government Pleader appearing for the respondents 1 and 2 would submit that eligible terminal benefits already sent to the Management for disbursal of the petitioner.

4. The learned counsel appearing for the third respondent would submit that eligible terminal benefits already settled in favour of the petitioner and he was dismissed from service on 24.02.2020.

5. Considering the facts and circumstances of the case, no contempt arises for consideration and the contempt petition is closed. However, liberty is granted to the petitioner to work out the remedy, in the manner known to law.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

1.The Chief Educational Officer,  
Syed Murthusha Hr. Secondary School Compound,  
Palakarai,  
Trichy -8.



2.The District Educational Officer,  
District Educational Office,  
Collectorate,  
Trichy -1.

3.The Correspondent,  
R.C.Higher Secondary School,  
represented by on behalf of Bishop,  
The Roman Catholic Diocese of  
Tiruchirapalli Society,  
Cantonment,  
Trichy District.

+1 CC to M/s.N.R.MURUGESAN, Advocate ( SR-15155[F] dated  
01/04/2021 )

+1 CC to M/s.ISAAC CHAMBERS, Advocate ( SR-15408[F] dated 07/04/2021  
)

Cont.P. (MD)No.113 of 2020  
in  
W.P. (MD) .No.7890 of 2012  
01.04.2021

SSS(CO)  
KB(12.05.2021) 3P 6C