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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:**08.02.2021**

CORAM:

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

Cont P(MD).No.140 of 2021

in

WP.(MD).6005 of 2020

Mrs.P.Jegajothi ... Petitioner/Petitioner

Vs.

Mr.Dheeraj Kumar
The Secretary,
Government of Tamil Nadu,
School Education Department,
Fort St.George,
Chennai-600 009. ... Contemnor/Respondent No.1

Prayer: Contempt Petition is filed under Section 11 of Contempt of Courts Act, to initiate contempt proceedings against the contemnor/Respondent No.1 and punish him for his wilful disobedience of the order dated 24.03.2020 made in W.P(MD).No.6005 of 2020.

Prayer in WP(MD). 6005/ 2020 :
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Directing the 1st respondent herein to regularize the Petitioners Service from her initial date of appointment till 1.6.2006 with all consequential monetary and service benefits of Teachers in the light of the Judgment of this Honourable Court in W.P.No. 4991 of 2015 dated 30.7.2019

For Petitioner : Mr.G.Anto Prince
For Respondent : Mrs.S.Srimathy
Special Government Pleader

O R D E R

For non-compliance of the order of this Court, dated 24.03.2020 made in W.P(MD).No.6005 of 2020, this Contempt Petition is filed.

2.The learned counsel appearing for the contempt petitioner submitted that by order dated 24.03.2020, this Court allowed the writ petition in W.P(MD)No.6005 of 2020, following the earlier order passed by this Court, on 30.07.2019, in W.P,No.4991 of 2015, with regard to the regularization of the petitioner's service and extend all the monetary benefits. However, the State preferred a Writ Appeal in W.A.No.3904 of 2019 against the order passed in W.P.No.4991 of 2015, which was followed by this Court in W.P(MD) No.6005 of 2020. In Writ Appeal, the Division Bench of this Court, has modified the order, dated 30.07.2019, and partly allowed the writ appeal on 13.01.2020. Against the Division Bench order, Review

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Application has been filed. Hence, the contempt petitioner has to make a fresh representation to extend the benefits within a reasonable time as fixed by the Division Bench of this Court.

3.The learned Special Government Pleader appearing for the respondents did not dispute the facts as submitted by the learned counsel for the petitioner.

4.Considering the facts and circumstances of the case, this Court allowed the present writ petition, based on the earlier order passed by this Court in W.P.No.4991 of 2015, dated 30.07.2019, which later was modified by the Division Bench of this Court.

5.In view of the above, this Contempt Petition is closed. However, liberty is granted to the petitioner to work out his remedy in terms of the judgment passed by the Division Bench of this Court.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To
Thiru.Dheeraj Kumar
The Secretary,
Government of Tamil Nadu,
School Education Department,
Fort St.George,
Chennai-600 009.

+1 CC to M/s.G.ANTO PRINCE, Advocate (SR-3816[F] dated 08/02/2021)

+1 CC to M/s.SPL GP (SR-4234[F] dated 10/02/2021)

Cont P(MD).No.140 of 2021
08.02.2021

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KB(17.02.2021) 2P 4C

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