



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Cont.P. (MD)No.256 of 2021

WEB COPY

J.Udhayachandirika

... Petitioner/Petitioner

Vs.

1.Dheeraj Kumar,

Secretary,

Department of School Education,

Fort St.George,

Chennai-600 009.

2.S.Kannapan,

Director of School Education,

College Road, Chennai-600 006.

3.S.Suganya,

Joint Director of School Education(Vocational),

College Road, Chennai-600 006.

4.C.Karupasamy,

Chief Educational Officer,

Tirunelveli District,

now at Tenkasi District.

5.S.Jeyaprakesh Rajan,

District Educational Officer,

Cheranmahadevi-627 414,

Tirunelveli District,

now at Tenkasi District.

... Contemnors/Respondents 1 to 5

Prayer: Petition filed under Section 11 of the Contempt of Court Act, to punish the respondents for their deliberate and wilful disobedience of the order of this Court, dated 07.03.2019 made in W.P. (MD)No.21653 of 2017.

Prayer in WP (MD). 21653 of 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorarified Mandamus calling for the records relating to the impugned proceedings issued by the 5th respondent District Educational Officer in O.Mu.No.1910/a 3/2017 dated ---.08.2017 (refusing approval to the appointment of petitioner as Vocational Instructor in Accountancy & Auditing), quash the same and further Direct the respondents 1 to 5 herein to approve forthwith the

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appointment of petitioner as Vocational Instructor in Accountancy & Auditing w.e.f.the date of appointment viz., 22.06.2016 in S.S.V.Higher Secondary School, Mathapattanam, with salary and all attendant benefits.

For Petitioner : Ms.A.Amala
For Respondents : Mrs.S.Srimathy
Special Government Pleader

* * * * *

ORDER

The writ petition in W.P.(MD)No.21653 of 2017 was allowed following the earlier order made in W.A.(MD)No.1494 of 2017, dated 01.03.2018. For non-compliance of the order passed by this Court, the present Contempt Petition is filed.

2. Learned Special Government Pleader appearing for the respondents would submit that the order in the main writ appeal in W.A.(MD)No.1494 of 2017, dated 01.03.2018 itself is stayed by the Honourable Supreme Court in Special Leave Petition (Civil) Diary No.2969 of 2019, dated 08.02.2019 and hence, this Contempt Petition does not arise.

3. Considering the facts and circumstances of the case, since the order in the main writ appeal in W.A.(MD)No.1494 of 2017, dated 01.03.2018 itself is stayed by the Honourable Supreme Court, there is no question of contempt. Therefore, the Contempt Petition is dismissed. However, liberty is granted to the petitioner to work out her remedy, after disposal of the Special Leave Petition.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

SSL

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

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To

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Tirunelveli District,
now at Tenkasi District.

+1 CC to M/s.A.AMALA, Advocate (SR-6588[F] dated
23/02/2021)

+1 CC to SPL GP (SR-6723[F] dated 23/02/2021)

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