



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.03.2021**

CORAM:

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

Cont P. (MD) No. 278 of 2021

A. Masanamuthu

BT Assistant,

Thiyagaraja Higher Secondary School,

Sriviliputhur,

Virudhunagar District.

... Petitioner/petitioner

/vs./

1. Theras Kumar,

Government of Tamilnadu,

Represented by its Secretary to Government,

(School Education and Elementary Education Department),

Fort St. George, Chennai-600 009.

2. S. Srinivasan,

District Educational Officer,

Sriviliputhur,

Virudhunagar District.

... Contemnor/Respondents 1 & 2

PRAYER: Contempt Petition is filed under Section 11 of the Contempt of Court Act, 1971, to punish the respondents for willful disobedience of the order passed by this Court dated 28.02.2020 in W.P(MD) No.57 of 2019.

Prayer in WP(MD). 57/ 2019 :

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 G.O.Ms.No.83 School Education (Elementary Education 1 (2)) Department dated 28.04.2017 of the 1st respondent herein in so far as the clause refusing to give monetary benefits from date of appointment / date of passing higher qualification and refusing to extend the benefits to those appointments made before and after 1997 to 2000 and those who were promoted as BT Assistant and quash the same and consequently direct the respondents 1 & 2 herein to Award incentive increments to the petitioner for this M.S degree with effect from 05.06.2002 respectively with all attendant benefits & privileges based in the Judgement reported in 2008(5) MLJ1349.

For Petitioner

: Mr.T.Pon Ramkumar

For Contemnors

: Mr.A.Thiyagarajan,
Government Advocate

ORDER

It is stated by the learned Government Advocate for the respondents that as against the order of the Writ Court, the Government has filed an appeal in W.A(MD) No.442 of 2021.



2.While that being so, it would not be appropriate to keep the contempt pending, particularly, when the Hon'ble Division Bench of this Court has seized of the matter.

3.Accordingly, this Contempt Petition stands closed. However, if the cause of action for filing contempt arises after the disposal of the writ appeal, it is open to the petitioner to do so.

Sd/-

Assistant Registrar (ADII)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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.

To:

1. The Secretary to Government,
Government of Tamilnadu,
School Education and Elementary Education Department,
Fort St.George, Chennai-600 009.

2.The District Educational Officer,
Sriviliputhur,
Virudhunagar District.

+1 CC to M/s.T.PON RAMKUMAR, Advocate (SR-7778[F] dated 01/03/2021)

+1 CC to M/s.SPL GP (SR-8145[F] dated 02/03/2021)

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SSS(CO)
KB(22.03.2021) 2P 5C