



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

DATED: 08.02.2021

CORAM:

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

**Cont.P. (MD)No.463 of 2020**

**in**

**WP(MD)No.17048 of 2018**

WEB COPY

The Correspondent,  
M.M.K.M. High School,  
Varuthattu-629 167,  
Kanyakumari District.

... Petitioner/Writ Petitioner

Vs.

1.C.Ramar,  
Chief Educational Officer,  
Kanyakumari, Kanyakumari District.

2.A.Muniya Samy,  
District Educational Officer,  
Kuzhithurai,  
Kanyakumari District. ... Contemnors/Respondents

Prayer: Petition filed under Section 11 of the Contempt of Court Act, to punish the respondents herein for their deliberate and wilful disobedience of the order of this Court, dated 01.08.2018 in W.P. (MD)No.17048 of 2018.

Prayer in WP(MD). 17048/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the 3rd and 4th Respondents to approve forthwith the appointment of A.Sunitha as BT Assistant (Maths) in the petitioners school w.e.f. the date of her appointment viz., 01.08.2017, with all attendant benefits including the arrears of salary and allowance.

For Petitioner : Mr.Prabhu  
for M/s Isaac Chambers  
For Respondents : Mrs.S.Srimathy  
Special Government Pleader

\* \* \* \* \*

**ORDER**

This Contempt Petition is filed alleging non-compliance of the order passed by this Court, dated 01.08.2018 in W.P. (MD)No.17048 of 2018.

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2. When the matter is taken up for hearing, the learned Special Government Pleader has produced a copy of the proceedings of the first respondent, dated 08.09.2020, wherein the proposal submitted by the petitioner Management, seeking approval of appointment of one A.Sunitha as B.T.Assistant(Maths) without insisting of the Teachers' Eligibility Test qualification, was rejected. She would further submit that a copy of the same was also served on the learned Counsel appearing for the petitioner.

3. Learned Counsel appearing for the petitioner would submit that liberty may be granted to the petitioner to challenge the said order of rejection in accordance with law before the appropriate forum.

4. In view of the above, the Contempt Petition is closed, with liberty to the petitioner as sought for.

Sd/-

Assistant Registrar (AS)

// 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.

To

1.C.Ramar,  
Chief Educational Officer,  
Kanyakumari, Kanyakumari District.

2.A.Muniya Samy,  
District Educational Officer,  
Kuzhithurai,  
Kanyakumari District.

+1 CC to M/s.ISSAC CHAMBERS, Advocate ( SR-3929[F]  
dated 09/02/2021 )

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**08.02.2021**

VB (17.02.2021) 2P 4C

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