



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.10.2021

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CONT.P(MD)No.554 of 2020

Joy Selvakumari

... Petitioner/Petitioner

vs.

K.P.Maheshwari,
The Chief Educational Officer,
Chief Educational Office,
Collectorate Campus,
Karur.

... Contemnor/Respondent

PRAYER: Petition filed under under Section 11 of the Contempt of Court Act, 1971, to punish the respondent for wilfully disobeying and not complying with the order of this Court, dated 23.10.2019 in W.P.(MD).No.4103 of 2013.

Prayer in WP(MD). 4103/ 2013 :

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 of the 2nd Respondent by its proceedings in R.C.No.7021/A2/2011 dated 12.4.2012 and to quash the same and consequently directing the 2nd Respondent to pay incentive increments on the basis of Petitioner's acquiring higher qualification in the field of Physical Education (M.Phil.) in light of G.O.Ms.No.1170 dated 20.12.1993, G.O.Ms.No.324 dated 25.4.1995 and G.O.Ms.No.194 dated 10.10.2006.

For Petitioner :Ms.M.Padmavathy
For Respondents :Mr.M.Linga Durai
Government Advocate

O R D E R

This Contempt Petition is filed alleging wilful disobedience of order passed by this Court in the Writ Petition filed by the petitioner in W.P.(MD)No.4103 of 2013.

2.From the proceedings of the Chief Educational Officer, Karur, dated 27.10.2021, it is seen that the direction of this Court in the Writ Petition is complied with by allowing the incentive increment to the petitioner from 28.08.1996 to 31.03.2010. However, it is stated in the order for disbursement of incentive increment will be subject to the final order that may be passed in the pending Special Leave Petition before the Honourable Supreme Court. It is also indicated that the Head Master of the School shall claim the incentive increment of the petitioner and disburse the same to the petitioner.



3. In view of the order passed by the respondents dated 27.10.2021, this Court is of the view that the Contempt Petition need not be proceeded further. The order, dated 27.10.2021, is only in compliance with the direction of the order passed by this Court in W.P. (MD) No. 4103 of 2013.

4. It is open to the petitioner to recall this order, in case the petitioner is unable to get the amount towards incentive increment within six weeks. The petitioner also should give a letter of consent, which would enable the respondent to deduct the amount from pensionary benefits of the petitioner, in case the Special Leave Petition is decided to the effect that the petitioner is not entitled to incentive increment.

5. Accordingly, the Contempt Petition is closed.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

tmg/cp

To

The Chief Educational Officer,
Chief Educational Office,
Collectorate Campus,
Karur.

+1 CC to M/s.SPL.GP (SR-33047[F] dated 28/10/2021)

Order made in
CONT.P(MD)No.554 of 2020
27.10.2021

PK (CO)
GC/JC (15.11.2021) 2P 3C