



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:26.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Cont P(MD).No.756 of 2020

T.Angaiyarkkanni

... Petitioner/Petitioner

Vs.

1.Mr.Senthurpandiayan

The District Elementary Educational Officer,
Tirunelveli, Tirunelveli District,
Now Bifurcated and re-designated as
The District Educational Officer,
Tenkasi, Tenkasi District.

2.Mr.Wilson Sathyaraj,

The Assistant Elementary Educational Officer,
Keelapavoor, Tirunelveli District,
Now Bifurcated and re-designated as
The Block Educational Officer,
Keelapavoor,
Tenkasi District.

...Respondents 1&2/
Respondents 1&2

Prayer: Contempt Petition is filed under Section 11 of Contempt of Courts Act, to punish the respondents for wilful disobedience of order passed by this Court in W.P(MD)No.3334 of 2014 dated 27.11.2019.

Prayer in WP(MD). 3334/ 2014 :

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 herein in Na.Ka. No. 745/A/13 dated 03.06.2013 and quash the same and consequently direct the respondents herein to award increments to the petitioner for his MA., and M.Ed. degree with effect from 29.05.1999 with all attendant benefits and privileges.

For Petitioner : Mr.T.Ponramkumar

For Respondents : Mrs.Srimathy
Special Government Pleader

O R D E R

For non-compliance of the order of this Court, dated 27.11.2019, made in W.P(MD)No.3334 of 2014, this Contempt Petition is filed.

2.Pursuant to the order of this Court, dated 29.01.2021, the
<https://hcservices.ecourts.gov.in/hcservices/>



first and second respondents appeared before this Court. However, the third respondent failed to appear before this Court today.

3.This Court, by order dated 27.11.2019, issued a direction to the respondents to award incentive increment to the petitioner for her M.A and M.Ed, degree with effect from the date of completion of such degree.

4.The learned Special Government Pleader appearing for the respondents submitted that there was a dispute between the Management and the petitioner and hence, the Management School was not forwarded the proposal. However, the third respondent was not impleaded as a party in the contempt petition. Therefore, the Official respondents are not able to process the petitioner's claim for awarding incentive increment to the petitioner.

5.In view of the above, for non-joinder of necessary party, this Contempt Petition is dismissed.**(*)Granting liberty to the petitioner to work out his remedy in the manner known to law.**

Sd/-

Assistant Registrar (CS-I)

(*) amended as per the order of the court made on 26.03.2021 through being mentioned.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

NS

To

(*) to be substituted the order already despatched on 15.03.2021

1.The District Elementary Educational Officer,
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Tenkasi, Tenkasi District.



2.The Assistant Elementary Educational Officer,
Keelapavoor, Tirunelveli District,
Now Bifurcated and re-designated as
The Block Educational Officer,
Keelapavoor,
Tenkasi District.

+1 CC to Mr.T.PON RAMKUMAR, Advocate SR-7710[F] dated 01/03/2021

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KM (12.03.2021) 3P 4C

TR (06.05.2021) 3P 4C