



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.10.2021

CORAM

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

Cont.P. (MD) Nos.1038 & 987 of 2019

Mrs.A.Santhammal

... Petitioner in
Cont.P. (MD) No.1038/2019

Mrs.L.Lakshmikutty

... Petitioner in
Cont.P. (MD) No.987/2019

Vs.

1.Pradeep Yadav,
The Secretary to Government,
Education Department,
Secretariat,
St. George Fort, Chennai.

2.Rameswara Murugan,
The Director of School Education,
College Road, Nungambakkam,
Chennai - 600 006.

3.Chenthilvel Murugan,
The Chief Educational Officer,
Nagercoil, Kanyakumari District.

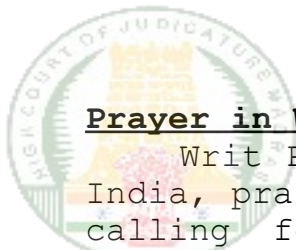
4.Munusamy,
The District Educational Officer,
Kuzhithurai at Marthandam,
Kanyakumari District.

...Contemnors/Respondents in
both Cont.Ps.

COMMON PRAYER: Contempt Petitions filed under Section 11 of Contempt of Courts Act, to punish the contemnors/respondents 1 to 4 for the wilful disobedience of the orders dated 03.04.2019 and 05.04.2019 passed in W.P.(MD)Nos.7825 and 8285 of 2019.

Prayer in WP(MD). 7825/ 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 in Na.Ka.No.20569/A5/E2/2014 dated 22.08.2014 on the file of the 2nd respondent and quash the same and directing the respondents to regularize the service of the petitioner as Full-Time sweeper on the date of completion of ten years of part time service from 10.12.1970 and to pay time scale of pay and other benefits payable with effect from 10.12.1980 by counting the 50% of part time service for the purpose of pension



Prayer in WP(MD). 8285/ 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 in Na.Ka.No.8193 / A1 / 2013 dated 22/05/2014 on the file of the 4th respondent and quash the same and directing the respondents to regularize the service of the petitioner as Full-Time sweeper on the date of completion of ten years of part time service from 17/04/1975 and to pay time scale of pay and other benefits payable with effect from 17/04/1985 by counting the 50% of part time service for the purpose of pension.

For Petitioners : Mr.R.Maheswaran
(In both Cont.Ps)
For Respondents : Mr.S.Shanmugavel,
(In both Cont.Ps) Standing Counsel for State.

COMMON ORDER

The present Contempt Petitions have been filed alleging non compliance of the orders dated 03.04.2019 and 05.04.2019 made in W.P.(MD)Nos.7825 and 8285 of 2019.

2. The learned Standing Counsel for State appearing for the respondents submitted that pursuant to the orders passed by this Court, the fourth respondent has passed orders vide proceedings in Na.Ka.No.2712/A1/2019 and Na.Ka.No.2374/A1/2019 dated 24.07.2019 and he has also produced the copy of the said proceedings, wherein it is stated that in the similar issue, the Supreme Court has granted interim stay, as against the judgment passed in W.A.No.193 of 2018, 27.03.2018 and therefore, the petitioners' applications for regularization of services cannot be considered.

3. Recording the same, these Contempt Petitions are closed. It is open to the petitioners, to seek their remedy before the appropriate forum, if so advised.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsm

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.

<https://hcservices.ecourts.gov.in/hcservices/>



To

1.The Secretary to Government,
Education Department,
Secretariat, St. George Fort, Chennai.

2.The Director of School Education,
College Road, Nungambakkam,
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3.The Chief Educational Officer,
Nagercoil, Kanyakumari District.

4.The District Educational Officer,
Kuzhithurai at Marthandam,
Kanyakumari District.

+1 CC to M/s.SPL.GP (SR-31032[F] dated 04/10/2021)

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