



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Contempt Petition (MD).No.1586 of 2019
in
Writ Petition (MD).No.22609 of 2016

The Manager and Correspondent,
T.M.B. McAcroy Rural Higher Secondary School,
Ottapidaram- 628 401,
Thoothukudi District. .. Petitioner/Petitioner

Vs.

1.S.Kannapan,
The Director of School Education,
College Road,
Chennai-600 006.

2.A.Gnana Gowri,
The Chief Educational Officer,
Thoothukudi, Thoothukudi District.

3.E.Vasantha,
The District Educational Officer,
Kovilpatti-628 501,
Thoothukudi District.

.. Contemnors/Respondents

Contempt Petition is filed under Section 11 of Contempt of Courts Act, 1971, to punish the respondent/contemnor for willfully disobeying the order passed by this Court in W.P.(MD).No.22609 of 2016 dated 08.08.2017.

Prayer in WP(MD). 22609 of 2016 :

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 the impugned proceedings issued by the 3rd respondent District Educational Officer in Na.Ka.No. 3893/A4/2016 dated 00.10.2016, Quash the same, and further direct the respondent herein to approve forthwith the appointment of the Sewing Mistress N.Deva Kumari in the Petitioner -school w.e.f. 01.06.2016 by converting the vocational post of Agriculture teacher into that of Sewing and



For Petitioner : Mr.A.Amala
For Respondents : Mrs.S.Srimathy
Special Government Pleader

ORDER

When the matter is taken up for hearing, the learned Special Government Pleader would submit that the issue in respect of the approval of the appointment of the petitioner was allowed in favour of the petitioner in the above said writ petition and against the said order, the State preferred a writ appeal and the same was dismissed as against which they filed SLP before the Hon'ble Supreme Court and the same was posted as SLP.Diary.30266/2019 arising out of the same issue in the case of **State of Tamilnadu and others vs. A.Joy Jebamalar and another**, and considering the anomaly, the Hon'ble Apex Court has granted interim stay in one case of the above SLP. She further submitted that though in one case, the Hon'ble Apex Court has granted interim stay and several other cases filed in similar nature are dismissed. In the present case, the State preferred a review application before the Hon'ble Division Bench in Rev.Appl.(MD).SR.164/2018 and the same is pending.

2. In view of the same, this contempt petition is closed. However, liberty is granted to the contempt petitioner to review the contempt petition after the disposal of the above said SLP and review application in Rev.Appl.(MD).SR.164/2018.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PJL

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.S.Kannapan,
The Director of School Education,
College Road,

<https://hcservices.mca.gov.in/Service/6>



2.A.Gnana Gowri,
The Chief Educational Officer,
Thoothukudi, Thoothukudi District.

3.E.Vasantha,
The District Educational Officer,
Kovilpatti-628 501,
Thoothukudi District.

+1 CC to M/s.A.AMALA, Advocate (SR-12204[F] dated 18/03/2021)

Cont.P. (MD) .No.1586 of 2019
18.03.2021

VB (06/05/2021) 3P / 5c