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Cont.P.No.1628/2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :: 12-12-2022

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

AND

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

CONTEMPT PETITION No.1628 of 2022

E.Soundararajan

...

Petitioner

-VS-

1.W.N.Thirunavukarasu,
Secretary/Correspondent,
Masilamani Mudaliar Higher Secondary School,
Walajabad – 631 605.

2.Kakarla Usha, I.A.S.,
The Principal Secretary to Government,
Education Department, Fort St.George,
Chennai – 600 009.

3.S.Gopi Doss,
The Joint Director of School Education,
(Secondary),
Chennai – 600 006.

4.V.Vertrichelvi,
The Chief Educational Officer,
Kanchipuram.

5.S.Ravi,
The District Educational Officer,
Kanchipuram.

...

Respondents



Contempt Petition has been filed under Section 11 of the Contempt of Courts Act, 1971, to punish the respondents 1 and 2 for having committed contempt of the orders passed by this Court in W.A.No.2972/2021, dated 03.03.2022, by not implementing the order.

For Petitioner : Mr.R.S.Anandan

For Respondent 1 : Mr.S.Parthasarathy,
Senior Counsel,
assisted by Mr.Suhrith Parthasarathy.

For Respondents 2 to 5 : Mr.J.Ravindran,
Addl. Advocate General,
assisted by Mr.S.John J.Raja Singh,
Addl.Government Pleader.

ORDER

When the matter is taken up for hearing, learned counsel for the petitioner has submitted that the amount, as ordered by this Court in W.A.No.2972 of 2021, dated 03.03.2022, has been paid to the petitioner, except interest.

2. Mr.J.Ravindran, learned Additional Advocate General, submits that backwages and interest will have to be paid only by the school and not the Government.

3. Mr.S.Parthasarathy, learned Senior Counsel for the first respondent, would submit that a proposal will be forwarded to the Government to enable them to sanction pension to the petitioner.



4. However, it is submitted by the learned counsel for the petitioner that the Government has already started payment of pension from December,2022, onwards, but, arrears are yet to be paid.

5. Pursuant to the statutory notice issued by this Court on 07.11.2022, official Respondents 3 to 5 are present before the Court today.

6. Taking note of the submissions of the learned counsel for the parties, three months' time is granted to the first respondent to make payment of interest, which shall be preferably on or before 31.03.2023.

7. Considering the submission of Mr.J.Ravindran, learned Additional Advocate General, that a proposal will have to emanate from the first respondent for payment of arrears of pension and also that of Mr.S.Parthasarathy, learned Senior Counsel for the first respondent, that the first respondent would submit a proposal to the Government immediately, we grant a time of 30 days from the date of receipt of a copy of this order for forwarding the said proposal. In case the proposal is not forwarded to the Government for payment of arrears of pension, and, interest is not paid by the first respondent to the petitioner within the time stipulated supra, it is open for the petitioner to reopen the contempt proceedings at that stage.



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8. Contempt Petition is, accordingly, closed. No costs.

Index : Yes/No
Internet : Yes/No
Speaking / Non-speaking Order

(S.V.N.,J.) (M.S.Q.,J.)
12-12-2022

dixit

To

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