



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.03.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

Cont.P.(MD) No.489 of 2021
in
W.P.(MD) No.19534 of 2020

1.K.Karpagam
2.E.Prabakaran
3.N.Ahaz Reegam
4.D.M.Bala Murugan
5.M.Subashini
6.D.M.Gurusamy

... Petitioners

-vs-

1.Mrs.E.Vasanth,
District Educational Officer,
O/o.The District Educational Office,
Thoothukudi, Thoothukudi District.

2.Mrs.K.V.Parimala,
District Adi Diravidar Welfare Officer,
O/o.Adi Diravidar Welfare Office,
Thoothukudi.

3.Mrs.R.Nirmala,
Chairman,
Muthukaruppan Memorial Educational Trust,
Subbammalpuram, Sillankulam (post),
Ottapidaram (Taluk), Thoothukudi District.

4.Mrs.K.Saroja,
The Correspondent,
Muthukaruppan Harijan Primary & Hr.Sec. School
Educational Committee,
Subbammalpuram, Sillankulam (post),
Ottapidaram (Taluk), Thoothukudi District.

5.Mr.Balamurugan,
Secretary,
Muthukaruppan Harijan Primary & Hr.Sec. School
Educational Committee,
Subbammalpuram, Sillankulam (post),
Ottapidaram (Taluk), Thoothukudi District.

... Contemnors



Prayer:- Petition filed under Section 11 of the Contempt of Courts Act to punish the Contemnors for the deliberate and wilful disobedience of the order dated 23.12.2020 passed by this Court in W.P.(MD) No.19534 of 2020 and W.M.P.(MD) No.16274 of 2020.

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Prayer in WMP(MD). 16274/ 2020 :

Pleaded grant an Ad-Interim Direction to direct the respondent No.4 and 5 to disburse the salary of the Petitioners from the Month of August-2020 and continue to pay the same for every month pending disposal of the above writ petition and thus render justice.

Prayer in WP(MD). 19534/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court S-38. Pleaded to issue a writ of Mandamus to direct the respondent No. 4 and 5 to order direct payment in terms of the Rule 19r/w Annexure III (3) ii of the Tamil Nadu Recognized Private Schools (Regulations) Rules 1974 in respect of the Muthukaruppan Harijan Primary and Higher Secondary School Subbammalpuram, Sillankulam Post, Ottapidaram Taluk, Thoothukudi District taking into consideration of the welfare of the students at large and consequently to direct the respondents to pay salary to the petitioners continuously without any hindrance along with arrears of salary and pass such further or other orders.

For Petitioner : Mr.C.Venkatesh Kumar
for M/S.Ajmal Associates

For Respondents: Mr.G.V.Vairam Santhosh,
Additional Government Pleader.

O R D E R

Though an order of interim stay was granted by this Court to pay salary to the petitioner, the learned Additional Government Pleader made a submission that the writ petitioners have not approached the Management for claiming the salary and even for joining duty, pursuant to the interim stay granted against the order of suspension.

2.In view of the fact that the petitioners have not turned out to school in person enabling the Management to do all necessary things, this Court is of the opinion that the contempt proceedings become unnecessary. In this view of the matter, this Court is of the opinion that the writ petition is to be heard.



3. Accordingly, this Contempt Petition is closed and the writ petition in W.P.(MD) No.19534 of 2020 is directed to be listed for final hearing in next week.

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Sd/-

Assistant Registrar(AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

abr

To

- 1.The District Educational Officer,
O/o.The District Educational Office,
Thoothukudi, Thoothukudi District.
- 2.The District Adi Diravidar Welfare Officer,
O/o.Adi Diravidar Welfare Office,
Thoothukudi.

Copy to
The Section Officer, Writs Section,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-9965[F] dated
04/03/2022)

+1 CC to M/s.SPL GP (SR-10161[F] dated 04/03/2022)

Cont.P.(MD) No.489 of 2021
03.03.2022

kg(CO)
TR(23.03.2022) 3P 6C