



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:**16.12.2022**

CORAM:

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
AND
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**CONT.P(MD)NO.157 of 2021
in
CONT.P(MD)No.1368 of 2019
in
W.A(MD)No.581 of 2019**

S.Manimaan

:Petitioner/Petitioner

.VS.

M.K.S.Subashini
The Chief Educational Officer,
Office of the Chief Educational Officer,
Virudhunagar,
Virudhunagar District.

:Contemnor/Respondent

(Cause-title accepted as per order of this Court made in
Sub.Appl(MD)No.140 of 2020 in Cont.P(MD)No.23050 of 2020,
dated 18.12.2020)

PRAYER: Contempt Petition filed under Section 11 of the Contempt
of Courts Act praying this Court to initiate contempt proceedings
against the contemnor/Respondent No.3 and punish her for the
wilful disobedience of the order passed by this Court in
Cont.P(MD)No.1368 of 2019, dated 24.2.2020.

For Petitioner

:Mr.T.Lajapathi Roy



For Respondent

:Mr.D.Sadiq Raja
Addl.Govt.Pleader

For Secretary/
School Management

:Mr.G.Prabhu Rajadurai

O R D E R

(Order of the Court was made by D.KRISHNAKUMAR,J)

This Contempt Petition is filed seeking to initiate contempt proceedings against the contemnor/Respondent No.3 and punish her for the wilful disobedience of the order passed by this Court in Cont.P(MD)No.1368 of 2019, dated 24.2.2020.

2.The Petitioner herein earlier filed a Contempt Petition in Cont.P(MD)No.1368 of 2019 for wilful disobedience of the order passed by this Court in W.A(MD)No.581 of 2019, dated 22.7.2019, which was filed for the approval of the Writ Petitioner from the post of B.T.Assistant to P.G.Assistant in the second respondent/Management.

3.When Cont.P(MD)No.1368 of 2019 came up before the Division Bench of this Court, the learned counsel appearing on either side submitted that the first respondent has complied with the order and hence, the contempt Petition is closed.



WEB COPY

4.At this juncture, it is relevant to reproduce the order made in the above Writ Appeal, which reads as under:

"18.Accordingly, all these Writ Appeals and the Writ Petition in W.P(MD)No.13848 of 2019 are dismissed. The Official respondents are directed to approve the appointment of S.Manimaran viz., the Writ Petitioner in W.P(MD)No.9073 of 2018 within a period of six weeks and pay him all the monetary benefits. We further direct the school to pay salary to R.Amudha from its own fund for the period she has already worked, as the Education Department is not bound to pay any salary to her for the said period. No costs.Consequently, connected Miscellaneous Petitions are dismissed."

5.The Petitioner appeared before this Court and has stated that the consequential order passed by this Court for payment of monetary benefits has not been complied with.

6.The learned Additional Government Pleader appearing for the respondent/contemnor has agreed before this Court that the order of this Court will be strictly complied with for payment of monetary benefits to the Petitioner, however, he would further submit that the second respondent/School Management has not submitted the proposal to the official respondents. Further, the



official respondents have also forwarded a communication, dated 21.12.2021 to the second respondent- School Management, but no response from the School Management. The learned counsel for the school Management undertakes to submit the proposal forthwith and the learned Additional Government Pleader appearing for the respondent/ Contemnor undertakes that if the second respondent's proposal is received, it will be complied with in its true letter and spirit.

7.In view of the above submission made by both the learned counsels, the second respondent school management is directed to submit the proposal of the Petitioner to the official respondents within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, as agreed, the official respondents shall comply with the order passed by this Honourable Court.

8.With the above said directions, the Contempt Petition is closed. No costs.

[D.K.K.,J.] [R.V.,J.]
16.12.2022



Index:Yes/No

Internet:Yes/No

vsn

To

M.K.S.Subashini
The Chief Educational Officer,
Office of the Chief Educational Officer,
Virudhunagar,
Virudhunagar District.



WEB COPY



D.KRISHNAKUMAR, J.

AND

R.VIJAYAKUMAR, J.

vsn

ORDER MADE IN

CONT.P(MD)NO.157 of 2021

in

CONT.P(MD)No.1368 of 2019

in

W.A(MD)No.581 of 2019

16.12.2022