



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction**

Thursday, the Sixteenth day of June Two Thousand and Twenty Two

PRESENT

**The Hon`ble Mr.Justice S.S.SUNDAR
AND**

The Hon`ble Mrs.Justice S.SRIMATHY

**SUB A(MD) . No.303 of 2021
in**

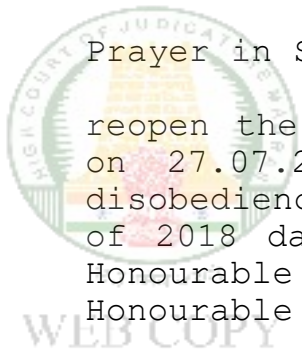
Cont.P.(MD) .No. 508 of 2021

K.Lakshmanan ... Petitioner/Petitioner/1st
Respondent/Writ Petitioner

Vs

- 1 Dheeraj Kumar Ias
The Principal Secretary School Education
(R1) Department Secretariat Chennai-600 009.
- 2 S.Kannappan,
The Director of School Education College
Road Nungambakkam Chennai-600 006.
- 3 Kabeer,
The Chief Educational Officer Kanyakumari
District Nagercoil.
- 4 Rajini,
The District Educational Officer (Formerly
Comes Under DEO Kuzhithurai) Thiruvattar
DEO Kanyakumari District.
- 5 Chandramathi,
The Assistant Elementary Educational Officer
Karungal Kanyakumari District.
- 6 Subantha Raj,
The Headmaster Govt.(Boys) Higher Secondary School
Marthandam
Kanyakumari District.
- 7 Jhansi,
The Headmaster Govt Primary School Viricode
Marthandam Kanyakumari District.

... Respondents/Contemnors/
Appellants/Respondents 1 to 7



Prayer in SUB.A.(MD).No. 303 of 2021 :-

This Application filed under Section 151 of CPC., to reopen the Contempt Petition (MD) No.508 of 2021, which was closed on 27.07.2021 and to punish the Contemnors for their willful disobedience of the order of this Honourable Court in WA(MD)No.214 of 2018 dated 13.03.2020 and for false representation before this Honourable Court and to pass such further other order as this Honourable Court may deem fit .

Prayer in Cont.P.(MD).No. 508/2021:

Contempt petition filed under section 11 of the contempt of Court Act to punish the contemnors for willful disobedience of the order dated 13.03.2020 passed in Writ Appeal in WA(MD).No. 214/2018 and to pass further or other orders

Prayer in WA(MD).No. 214/2018:

Writ Appeal filed under Clause 15 of Letter Patent against the order dated 05.01.2017 passed in WP(MD).No. 10746 of 2015.

Prayer in WP(MD). 10746/ 2015 :

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 of the 1st respondent relating to the impugned order in proceedings No.19256/Ni.V.1(2) /2013-2 dated 17.9.2014 and to quash the same and consequently direct the 1st respondent sanction the petitioner s provisional pension and pensionary benefits by taking into account of 50% of the service from 01.12.1992 to 02.12.2002 as a sweeper along with his regular service from 02.12.2002 to 30.06.2012 to arrive at total qualifying service for pension and disburse the arrears thereof with interest within the time stipulated by this Honble Court.

ORDER:- This Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.M.R.Sreenivasan , Advocate for the Petitioner and of Mr.P.Thilakumar , Government Advocate for the respondent(s), this Court made the following order:

Heard Mr.M.R.Sreenivasan, learned counsel appearing for the petitioner and Mr.P.Thilak Kumar, learned Government Advocate appearing for the respondents.

2.Having regard to the specific averments made in the affidavit filed in support of this petition, it is noted that the contempt petition was closed by reporting compliance, even though the compliance was in respect of different matter. Hence, this Court is inclined to allow this sub application. Accordingly, this application is allowed and the contempt petition is restored on file.



3. Office is directed to list the main contempt petition next week for hearing.

Sd/-

Assistant Registrar()

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/06/2022

Sub Assistant Registrar(CS)

TO

1. Dheeraj Kumar Ias
The Principal Secretary School Education
(R1) Department Secretariat Chennai-600 009.
2. S.Kannappan,
The Director of School Education College
Road Nungambakkam Chennai-600 006.
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7. Jhansi,
The Headmaster Govt Primary School Viricode
Marthandam Kanyakumari District.

Copy to

The Section Officer, Contempt Section,
Madurai Bench of Madras High Court, Madurai
(For listing the matter next week)



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ORDER DATED : 16/06/2022

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ORDER

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SUB A(MD) . No.303 of 2021

in

Cont.P.(MD).No. 508 of 2021

Giving direction and etc.

as stated within.

KB(28.06.2022) 4P 9C