



Cont.P.(MD) No.398 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.08.2023

CORAM:

THE HONOURABLE Mr.JUSTICE BATTU DEVANAND

Contempt Petition (MD) No.398 of 2020

and

Sub Application (MD) No.169 of 2021

in

Writ Petition (MD) No.3601 of 2019

Jesu Praba

.. Petitioner

Vs.

1.A.Gnana Gowri
Chief Educational Officer,
Thoothukudi District.

2.C.Lakshmanaswami,
District Educational Officer,
Thoothukudi District.

.. Respondents

Prayer: Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondent herein for his deliberate and willful disobedience of the order of this Court dated 06.03.2019 in Writ Petition (MD) No.3601 of 2019.



Cont.P.(MD) No.398 of 2020

WEB COPY

For Petitioner : Ms.A.Amala

For Respondents : Mr.V.Nirmal Kumar

ORDER

This contempt case has been filed complaining wilful disobedience of the order dated 06.03.2019 in W.P.(MD) No.3601 of 2019.

2. Heard the learned counsel for the petitioner and the learned counsel appearing for the respondents and perused the record.

3. Admittedly, aggrieved by the order of the learned Single Judge, dated 06.03.2019, on behalf of the State, a writ appeal was filed and it was dismissed on 12.11.2019. An application to review the said judgment was filed and it was also dismissed on 06.06.2023.

4. The first limb of the order dated 06.03.2019 to approve the appointment of the petitioner with effect from 09.06.2014 was complied by order dated 22.07.2023 and the second limb of the order to disburse



Cont.P.(MD) No.398 of 2020

the gratuity towards the petitioner's salary and other attendant benefits was complied on 07.08.2023.

5. It appears that after the dismissal of the review petition, the respondents started action to comply the order of the Court and implemented the order on 07.08.2023. But, in the affidavit filed by the respondents on 13.07.2023, it is stated that the order of the Court is complied in letter and spirit, which is false.

6. As admitted by the respondents, the order of the Court was complied with only on 07.08.2023 in *toto*. However, considering the fact that the order of the Court is complied with as of now and taking lenient view towards the respondents, this Court intends to close this contempt petition.

7. However, it is made clear that the respondents shall be cautious and vigilant while filing affidavits before the Court. They are warned that serious action will be initiated against them, if any false affidavits are filed before the Court.



Cont.P.(MD) No.398 of 2020

WEB COPY

7.1. For the above reasons, this Contempt Petition is closed.

7.2. Consequently, connected sub application is also closed.

16.08.2023

NCC : Yes/No

Index : Yes/No

Internet : Yes

abr



WEB COPY



Cont.P.(MD) No.398 of 2020

To

1. Ms. A. Gnana Gowri
Chief Educational Officer,
Thoothukudi District.
2. Mr. C. Lakshmanaswami,
District Educational Officer,
Thoothukudi District.



WEB COPY



Cont.P.(MD) No.398 of 2020

BATTU DEVANAND, J.

abr

Cont.P.(MD) No.398 of 2020

Dated : 16.08.2023