



Cont.P(MD)No.557 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 13.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cont.P(MD)No.557 of 2023 in
W.P.(MD)No.16120 of 2020

Sankara Pandian, S/o.Mariappa Nadar

... Petitioner

Vs.

1.Kumaragurubaran Jeyabalan,
The Inspector General of Registration,
Department of Registration,
Santhome High Road, Chennai.

2.M.Kabir,
The Chief Educational Officer,
Tenkasi District, Tenkasi.

3.Rajeswari,
The District Educational Officer,
Sankarankovil, Tenkasi District.

4.Packiam,
The District Registrar of Societies,
District Registrar Office, Tenkasi.

5.Hindu Nadar Uravinmurai
Pallikalvi Committee, (Reg No. 129 of 1997),
Rep by its Secretary, T.N.Pudukudi,
Puliankudi, Tenkasi District.

... Respondents

[R5 is impleaded vide court order dated 21.07.2023, in
Sub.Aplc.(MD)No.88 of 2023]



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Prayer:- Contempt Petition is filed under Section 11 of Contempt of Courts Act, praying to initiate contempt proceedings against the contemnors/respondents herein for their wilful disobedience to the order passed by this Court in W.P.(MD)No.16120 of 2020, dated 26.04.2021 and punish them accordingly.

For Petitioner : Mr.M.Manikandan

For R1 : Mr.A.K.Manikkam
Special Government Pleader

For R2 to R4 : Mr.P.Thambidurai
Government Advocate

ORDER

Alleging that the order of this Court in W.P.(MD)No.16120 of 2020, dated 26.04.2021, has not been complied with, the present Contempt Petition has been filed before this Court.

2. When the matter was taken up for hearing today, it was brought to the notice of this Court that after the order passed in the Writ Petition, the same was put to challenge by one R.Manickam, who was the past Secretary of the School Committee, before this Court in W.A.(MD)No. 1009 of 2021. By the time, the Writ Appeal was taken up for hearing



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along with W.A(MD)No.1010 of 2021, the Division Bench found that only 20 days were left for completion of the tenure of the existing School Committee, the appellant, therefore, withdrew the Writ Appeals and the Writ Appeals were disposed of by common judgment dated 15.02.2023, with the following directions:-

"The learned counsel appearing for the appellant states that since there was an observation by the learned Single Judge that the Government can invoke its power under Section 53(A) of Tamil Nadu Recognised Private Schools (Regulation) Act, 1973, making direct payment, the aforesaid writ appeals were filed and interim order was obtained. But after efflux of time, the School Committee has been recognized by the Government by order dated 30.01.2023 and further more, the tenure of the School Committee itself is expired by 21.03.2023, which hardly 20 days more. Therefore, he seeks leave of this Court to withdraw these appeals. He has also made an endorsement to that effect.

2.In view of the above, these Writ Appeals are dismissed as withdrawn. However, this Court expects the parties to the proceedings shall conduct the election immediately in accordance with law and administer the School, without affecting the interest of the students. No costs. Consequently, connected Civil Miscellaneous Petitions are closed."

3. Pursuant to the above, the election was conducted and the new



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School Committee was also formed and it was granted approval by the competent authority. That apart, Form-VII was also filed before the District Registrar and it was also taken on file on 18.05.2023.

4. It was also brought to the notice of this Court that the suit in O.S.No.59 of 2021 filed before the Principal District Munsif-cum-Judicial Magistrate Court, Sivagiri, is pending.

5. In the light of the above developments, there is nothing to be considered in this Contempt Petition. Accordingly, this Contempt Petition is closed.

Index : Yes / No
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13.10.2023

To

- 1.The Inspector General of Registration,
Department of Registration,
Santhome High Road, Chennai.
- 2.The Chief Educational Officer,
Tenkasi District, Tenkasi.
- 3.The District Educational Officer,
Sankarankovil, Tenkasi District.



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4.The District Registrar of Societies,
District Registrar Office, Tenkasi.

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N.ANAND VENKATESH, J.

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