



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Friday, the Thirty First day of March Two Thousand and Twenty Three

PRESENT

The Hon`ble Mrs.Justice S.SRIMATHY

SUB A(MD) No.106 of 2023
IN
CONT P(MD) No.1892 of 2022

K.NANDHAKUMAR
THE COMMISSIONER OF SCHOOL EDUCATION,
DIRECTORATE OF SCHOOL EDUCATION,
CHENNAI-06.

... PETITIONER/1st CONTEMNOR

Vs

1 G.SARAVANAN

... 1st RESPONDENT/PETITIONER

2 P.A.NARESH
THE JOINT DIRECTOR OF SCHOOL EDUCATION, (PERSONNEL),
DIRECTORATE OF SCHOOL EDUCATION,
CHENNAI-06.

3 R.SUDHAN,
THE DIRECTOR, RASHTRIYA MADHAMILK SHIKSHA ABHIYAN (RMSA),
DPI COMPOUND, COLLEGE ROAD,
CHENNAI -06.

... RESPONDENTS 2&3/CONTEMNORS 2&3

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to dispense with the personal appearance of petitioner / 1st Contemnors herein before this Hon'ble Court pursuant to the statutory notice issued by this Hon'ble on 03-03-2023, in the above contempt.

Prayer in CONT P(MD) . 1892/ 2022 :

Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 to initiate contempt proceedings against the contemnors/respondents and punish the contemnors/respondents for the willful disobedience of the order of the Honourable High Court in W.P.(MD).No.15878 of 2018 dated 14-12-2021 and thus render justice.

Prayer in WP(MD) . 15878/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the

<https://www.mhc.tn.gov.in/judis>



Respondents No.2 and 3 to consider the petitioner for regularisation in the post of B.T. Assistant (Inclusive Education for the Disabled at Secondary Stage) for RMSA (Rashtriya Madhyamik Shiksha Abhiyan) in the posts sanctioned as per G.O.Ms.No. 28, School Education Department, dated 30.01.2015 within the time stipulated by this Court.

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ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.R.BASKARAN, Additional Advocate General Assisted by Mr.V.OM PRAKASH, Government Advocate for the petitioner, the court made the following order:-

The second respondent is present before this Court. The 1st respondent has filed this petition to dispense with their presence.

Hence, this petition is allowed. The third respondent namely, R.Sudhan is retired from service.

Since the respondents have filed Writ Appeal and gives an undertaking, both the petitioner as well as the respondents shall not press the Contempt Petition, until the Writ Appeal is disposed of.

sd/-

31/03/2023

/ TRUE COPY /

/04/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

- 1 K.NANDHAKUMAR
THE COMMISSIONER OF SCHOOL EDUCATION,
DIRECTORATE OF SCHOOL EDUCATION, CHENNAI-06.
- 2 P.A.NARESH
THE JOINT DIRECTOR OF SCHOOL EDUCATION, (PERSONNEL),
DIRECTORATE OF SCHOOL EDUCATION, CHENNAI-06.
- 3 R.SUDHAN,
THE DIRECTOR, RASHTRIYA MADHAMILK SHIKSHA ABHIYAN (RMSA),
DPI COMPOUND, COLLEGE ROAD, CHENNAI -06.

ORDER IN

SUB A(MD) No.106 of 2023 IN
CONT P(MD) No.1892 of 2022
Date :31/03/2023

SA/VR/SAR.3/03.04.2023/2P/4C