



Cont.P(MD)No.797 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **19.07.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **BATTU DEVANAND**

Cont.P.(MD)No.797 of 2023

in

W.P.(MD)No.16926 of 2018

S.John Xavier Britto

... Petitioner/Petitioner

Vs.

1.Mrs.Kakarla Usha
The State of Tamilnadu
Rep.by its Principal Secretary,
School Education Department,
Fort St.George, Chennai -09.

2.Mr.K.Nandhakumar
The Director of School Education,
DPI Complex, College Road,
Chennai – 600 006.

3.Mr.Jeyakumar
The Chief Educational Officer,
O/o.Chief Educational Office,
Ramanathapuram District,
Ramanathapuram

... Contemnors/Respondents 1 to 3

PRAYER: Petition filed under Section 11 of the Contempt of Courts Act, to punish the contemnors/respondents for their willful, deliberate disobedience of the order of this Court made in W.P.(MD)No.16926 of 2018, dated 31.07.2018.



Cont.P(MD)No.797 of 2023

For Petitioner : Mr. R.Saravanan

For Respondents : Mr.R.Baskaran
Senior Counsel
Assisted by Mr.V.Nirmal Kumar

ORDER

This Contempt Petition has been filed complaining willful disobedience of the order dated 31.07.2018 passed in W.P(MD)No. 16926 of 2018.

2. The 1st respondent has filed a counter affidavit. In the said counter affidavit, it is averred that after receipt of the order of this Court, particulars in respect of the Writ Petitions are called for from the respective schools through concerned Chief Educational Officer and after examining the same, in consultation with the advisory departments of Secretariat, the Government issued G.O.Ms.No.127, School Education (S.E.7(1)) Department, dated 12.07.2023 extending the benefit of the orders issued in G.O.Ms.No.194, School Education Department dated 12.09.2018, in which, the petitioner herein also covered by the said G.O.Ms.No.127 School Education (S.E.7(1)) Department dated 12.07.2023.



4. The learned counsel for the petitioner submits that though there is some delay, as of now the order of this Court is implemented by issuing G.O.Ms.No.127 School Education (S.E.7(1)) Department dated 12.07.2023.



Cont.P(MD)No.797 of 2023

WEB COPY

5. Having regard to the facts and circumstances of the case and on a careful consideration of the submissions of respective counsels and materials available on record, it appears that the respondents implemented the order of this Court by issuing G.O.Ms.No.127 School Education (S.E.7(1)) Department dated 12.07.2023, but admittedly, there is some delay in complying the order.

6. However, considering the submissions of the learned Senior Counsel and the reasons stated in the affidavit for the delay occurred, this Court is of the opinion that the unconditional apology tendered by the respondents is *bonafide* and it is to be accepted.

7. Accordingly, accepting the unconditional apology tendered by the respondents for the delay, this Contempt Petition is closed.

19.07.2023

Index : Yes/No
Internet : Yes/No
CM



WEB COPY



Cont.P(MD)No.797 of 2023

To,

1.Mrs.Kakarla Usha
The State of Tamilnadu
Rep.by its Principal Secretary,
School Education Department,
Fort St.George, Chennai -09.

2.Mr.K.Nandhakumar
The Director of School Education,
DPI Complex, College Road,
Chennai – 600 006.

3.Mr.Jeyakumar
The Chief Educational Officer,
O/o.Chief Educational Office,
Ramanathapuram District,
Ramanathapuram



WEB COPY



Cont.P(MD)No.797 of 2023

BATTU DEVANAND, J.,

CM

Cont.P.(MD)No.797 of 2023
in
W.P.(MD)No.16926 of 2018

19.07.2023