



CONT.P(MD)No.191 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **19.09.2023**

CORAM:

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**
AND
THE HONOURABLE **MR.JUSTICE R.VIJAYAKUMAR**

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S.Ranjith Kumar

...Petitioner

/Vs./

1.Mr.Dheeraj Kumar,
The Secretary,
Department of School Education,
Fort St.George Chennai-600 009.

2.Mrs.Usha Rani,
The Director of Teacher Education
Research and Training,
DPI Compound, College Road,
Chennai-600 006.

3.Mrs.Selvi,
The Principal,
District Institute of Education and Training,
T.Kallupatti, Madurai District.

...Contemnors

PRAYER:- Contempt Petition- filed under Section 11 of the Contempt of Courts Act, to punish the respondents herein for their deliberate and



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willful disobedience of the common order of this Court dated 20.09.2019
in W.A.(MD)No.44 of 2019.

For Petitioner : Mr.T.Cibi Chakaraborthy

For Respondents : Mr.Veera Kathiravan,
Additional Advocate General
assisted by Mr.V.Om Prakash,
Government Advocate

ORDER

(Order of the Court was made by **DR.ANITA SUMANTH, J.**)

Heard the learned counsel for the petitioner.

2. Learned Additional Advocate General appearing on behalf of the learned Government Pleader for the respondents, states that pending contempt petition, the respondents have complied with order dated 20.09.2019 in respect of which contempt is alleged.

3. The petitioner disputes one aspect of the aforesaid order stating that the date of approval has been fixed as 14.03.2023 contrary to the order of the Writ Court dated 05.02.2018, order passed in the writ appeal on 20.09.2019, order passed in review petition on 19.01.2022 as well as the judgment of the Hon'ble Supreme Court confirming all the aforesaid, passed on 03.02.2023.



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4. To be noted, the prayer of the writ petitioner was for a quash of the proceedings dated 29.10.2009 refusing approval to his appointment as Watchman cum Gardener in TELC Teacher Training Institute for Women, Usilampatti and further direction to the respondents in the writ petition to approve the appointment with effect from 01.10.2004.

5. The writ petition was allowed on 05.02.2018 accepting the prayer to set aside the impugned order and directing approval within a period of four weeks from the date of receipt of a copy of that order. In Writ Appeal, a specific ground was raised by the respondents to the effect that the date of grant of approval had not been considered by the writ court.

6. That writ appeal came to be dismissed on 20.09.2019. In Para 4, the Division Bench has confirmed the directions of the writ Court, further directing implementation of the same within a period of twelve weeks from the date of receipt of a copy of that order.

7. A review application came to be filed reiterating the same ground that had been raised in the writ appeal, but also came to be dismissed on 19.01.2022. As against the aforesaid petition, Special



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Leave Petition was filed in Special Leave Petition (Civil) Diary No. 29695 of 2022 and when the matter came up for condonation of delay, it was dismissed on 03.02.2023.

8. The dismissal of SLP is not just on the ground of delay, but also on the merits of the matter taking note of the position that the appointment of the writ petitioner was made as early as in 01.10.2004, thus confirming the position that the writ petitioner was indeed appointed on 01.10.2004.

9. With this, nothing further remains, save for the State to issue proceedings in compliance with the orders dated 05.02.2018, 20.09.2019, 19.01.2022 and 03.02.2023. This shall be done within a period of two weeks from the date of receipt of a copy of the order.

10. Learned Additional Advocate General would point out that the other two writ petitioners in W.P.(MD)Nos.13310 & 13311 of 2009, who had agitated the matter along with the present writ petitioner, had rested content with the date of approval being fixed as 14.03.2013.

11. However, the present contempt petition relates only to Ranjith Kumar and hence, we prefer to adduce to the facts and circumstances relating to this contempt petitioner alone. This Contempt



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Petition is disposed of with the direction as contained in paragraph 9 above.

12. Let a memo of compliance be filed by the respondents within the time specified.

[A.S.M.J.] & [R.V.J.]
19.09.2023

NCC :Yes/No
Index :Yes/No
Internet :Yes
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Note: A copy of compliance memo shall be circulated in Chamber.



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DR.ANITA SUMANTH, J.
AND
R.VIJAYAKUMAR, J.

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Order made in
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Dated:
19.09.2023