



CONT.P.(MD)No.1449 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CONT.P.(MD)No.1449 of 2022

in

W.P.(MD) No.4568 of 2020

N.Thanalakshmi @ Velammal (Suspension)
Secondary Grade Teacher,
Hindu Middle School,
Melaveeraragavapuram,
Tirunelveli District.

Petitioner

Vs.

1.Mr.R.Baskarasethupathi,
The Joint Director of School Education,
(Elementary School),
O/o The Directorate of School Education Department,
DPI Compound,
College Road,
Chennai- 6.

2.Mrs.C.Subashini,
The Chief Educational Officer,
O/o The Chief Education Office,
Tirunelveli,
Tirunelveli District.

3.Mrs.E.Vasanth,
The District Educational Officer,
O/o, The District Educational Office,



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Tirunelveli,
Tirunelveli District.

4.Mrs.Kalaiselvi,
The Block Educational Officer,
O/o the Block Educational Office,
Tirunelveli Junction,
Tirunelveli District.

5.Mr.V.P.Rajeshwaran,
The Secretary,
Hindu Middle School,
Melaveeraragavapuram,
Tirunelveli District.

Contemnors/Respondents

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Courts Act, praying this Court to punish the contemnors/respondents for the deliberate and willful disobedience of the order dated 07.01.2022 passed by this Court in WP(MD) No. 4568 of 2020.

For Petitioner
For R1 to R4

:Mr.C.Venkatesh Kumar
:Mr.S.Shaji Bino
Special Government Pleader

ORDER

This Contempt petition is filed that the order of this Court in W.P(MD) No.4568 of 2020, dated 07.01.2022 has not been complied with.



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2.This Court, by order dated 07.01.2022 has directed the respondents to consider the petitioner's representation dated 27.01.2020 within a period of twelve weeks from the date of receipt of a copy of this order.

3.Today(12.04.2023), when this Contempt Petition is taken up for hearing, the learned Special Government Pleader appearing for the official respondents submits that with regard to the reinstatement of the petitioner, the petitioner's representation was considered and she was reinstated into service on 16.11.2022. However, the petitioner, in her representation has also sought for back wages, which was rejected by the School authorities/the fifth respondent by an order dated 06.04.2023.

4.The learned counsel appearing for the fifth respondent submits that on the observations made by this Court, the official respondents have taken a stringent action by bringing the administration of the School on direct payment by order dated 26.10.2022. He further submits that since the order of this Court has



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now been complied with, the official respondents shall be directed to recall the earlier order, dated 26.10.2022. According to the learned counsel for the fifth respondent, the representation of the petitioner was duly considered in accordance with law.

5.This Court considered the submissions made by the learned Special Government Pleader as well as the learned counsel for the fifth respondent and perused the materials placed on record.

6.Since the representation of the petitioner has been considered and the petitioner was reinstated into service on 16.11.2022, this Court is inclined to close this Contempt petition. This Court has not directed the official respondents to take over the administration of the School at any point of time and it appears that on the observations made by this Court, the official respondents have taken some stringent action as against the fifth respondent for not complying with the order of this Court. In view of the above, the official respondents shall recall the order, dated 26.10.2022.



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7. With the above direction, this Contempt petition is closed.

12.04.2023

Index: Yes/No

Internet: Yes/No

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To

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Chennai- 6.
2. The Chief Educational Officer,
O/o The Chief Education Office,
Tirunelveli,
Tirunelveli District.
3. The District Educational Officer,
O/o, The District Educational Office,
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4. The Block Educational Officer,
O/o the Block Educational Office,
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Melaveeraragavapuram,
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B.PUGALENDHI, J.

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ORDER MADE IN
CONT.P.(MD)No.1449 of 2022
in
W.P.(MD) No.4568 of 2020

12.04.2023