

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.03.2023

CORAM:

**THE HON'BLE MR JUSTICE R. SURESH KUMAR
AND
THE HON'BLE MR JUSTICE K.K. RAMAKRISHNAN**

Cont P(MD)No.243 of 2023

D.V.D.Teacher Training Institute
Rep. by its Secretary,
Kottar-629 002, Nagercoil,
Kanyakumari District.

... Petitioner

-vs-

Tmt.N.Latha,
Director,
State Council of Educational Research and Training
College Road, DPI Campus,
Chennai-600 006.

... Contemnor

PRAYER: Contempt Petition filed under Section 11 of Contempt of Courts Act, 1971, to punish the respondent herein for his deliberate and willful disobedience of the Order of this Court, dated 17.04.2021 in C.M.P(MD)No.2614 of 2021 in

Writ Appeal (MD)No.571 of 2021 amounting to contempt of Court under Section 11 of the Contempt of Courts Act, 1971.

For Petitioner : Mr.E.V.N.Siva

For Respondent : Mr.A.Kannan
Additional Government Pleader

ORDER

(Order of the Court was made by R. SURESH KUMAR,J.)

This contempt petition has been filed for the alleged disobedience of the orders of this Court, dated 17.04.2021 made in C.M.P(MD)No.2614 of 2021 in W.A(MD)No.571 of 2021.

2. In the said order, the Division Bench of this Court on 17.04.2021 passed the following order:-

“6. Accordingly, the students should be permitted to continue the course and also undertake the examination. However, the certificates can be granted only after the disposal of the writ appeal. The appellant/Management is directed to inform all the students in writing about this interim order and get appropriate acknowledgment

from the students and retain the same and produce at the time of appeal is heard finally.”

3. This order, according to the petitioner, has been violated, therefore, this contempt petition has been filed. However, the fact remains that pursuant to the said order, students of the petitioner's institution had been permitted to write the examination, however, results have not been published.

4. In this context, it is the contention of the the learned counsel appearing for the petitioner that only the certificates were directed to be withheld till the disposal of the writ appeal as per the orders of the Court, but the results since has not been published, it is a violation, he contended.

5. Once the results are published automatically the certificates would be given to the students and as to whether the students are entitled to sit for the examination is the question to be decided in the main writ appeal. The learned Judge has in the said order directed not to release the certificate that means not to release the results. Therefore, in our considered view, there has been no contempt as there has been no violation on the part of the respondents, hence, this contempt

petition is liable to be closed and accordingly, it is closed.

[R.S.K.,J.] [K.K.R.K.,J.]
29.03.2023

Index : Yes / No
Internet : Yes / No
am

To

Tmt.N.Latha,
Director,
State Council of Educational Research and Training
College Road, DPI Campus,
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R. SURESH KUMAR, J.

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