



Cont P(MD)No.885 of 2019

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.01.2023

CORAM:

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
AND
THE HON'BLE MR JUSTICE SUNDER MOHAN**

Cont P(MD)No.885 of 2019

P.Flora Mary

... Petitioner

-VS-

Mr.R.Baskara Sethupathy,
Joint Director of Elementary Education (Aided),
Chennai-600 006.

... Contemnor

PRAYER: Contempt Petition filed under Section 11 of Contempt of Courts Act, 1971, to punish the contemnor/3rd respondent for his deliberate and willful disobedience of the order of this Court made in W.A(MD)No.551 of 2019, dated 13.06.2019.

For Petitioner	: Mr.P.Krishnasamy
For Respondent	: Mr.J.Ashok Additional Government Pleader



Cont P(MD)No.885 of 2019

WEB COPY

ORDER

DR.G.JAYACHANDRAN,J.
AND
SUNDER MOHAN,J.

It is now brought to the notice of this Court that the respondent has already filed Special Leave to Appeal (C) No(s).17939/2019 and the same is taken up for consideration by the Hon'ble Supreme Court and stay of the order passed in W.A(MD)No.551 of 2019, dated 13.06.2019 has been granted on 07.01.2020.

2. The learned counsel appearing for the petitioner would submit that in said circumstances the contempt petition may be pending till the disposal of the Special Leave Appeal.

3. This Court has apprehension that once the matter has been seized off by the Hon'ble Supreme Court and stay has been granted, keeping the contempt petition may not be proper. The impleading appellant succeeded before the Division Bench, if he succeeds in the Special Leave Appeal will always have a right for enforcing the order.



Cont P(MD)No.885 of 2019

WEB COPY

4. The contempt petition for breach of order passed in the writ appeal will not survive in view of the fact that the matter has been seized off by the Hon'ble Supreme Court and the same is subject to the out come of the Special Leave Appeal.

5. Accordingly, the contempt petition is closed with liberty to the petitioner herein to work out his remedy after the Hon'ble Supreme Court passed final order.

[G.J.,J.] [S.M.,J.]
10.01.2023

Index : Yes / No
Internet : Yes / No
am

To

Mr.R.Baskara Sethupathy,
Joint Director of Elementary Education (Aided),
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Cont P(MD)No.885 of 2019

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Cont P(D)No.885 of 2019

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