



Cont.P. No. 2879 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2024

CORAM

THE HONOURABLE MR. JUSTICE MUMMINENI SUDHEER KUMAR

Cont.P. No.2879 of 2023

B.Srinivasan

.. Petitioner

Vs.

- 1.K.Sanjay Murthy,
The Secretary, Government of Tamil Nadu,
Education Department (Secondary Education),
Fort St. George, Secretariat, Chennai – 600 009.
- 2.Mrs.A.Sathyabama,
The District Educational Officer (South),
Chennai – 600 008.
Also at:
Anna Salai, Saidapet, Chennai – 600 015.
- 3.Mr.S.Mars,
The Chief Educational Officer,
Panagal Building, Saidapet, Chennai – 600 015.
Also at:
Presidency Girls Higher Secondary School Campus,
Espur Tank Road, Egmore, Chennai – 600 008.
- 4.Mr.G.Arivoli,
The Director of School Education,
DPI Complex, College Road,
Nungambakkam, Chennai-600 006.



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5. Mrs. Vasantha Balasubramanian,
The Correspondent,
General Kariappa Higher Secondary School,
Kamaraj Street, Gandhinagar, Saligramam,
Chennai – 600 093.

.. Respondents

Prayer: Contempt petition filed under Section 11 of Contempt of Court Act, 1971, to punish the respondents for their willful disobedience to comply with the order of this Hon'ble Court dated 17.08.2022 passed in W.P.No.6114 of 2017.

For Petitioner : M/s. Shivakumar

For Respondents : Mr. K. H. Ravi Kumar
Government Advocate

ORDER

This contempt case has been filed alleging violation of the order dated 17.08.2022 passed by this Court in W.P.No.6114 of 2017, wherein this Court, while confirming the order impugned in the writ petition, permitted the petitioner to make a representation seeking relaxation of Pension Rules under Rule 82 and further directed the respondents to consider the said representation and various other directions have been issued.

2. This contempt case has been filed contending that the



respondents failed to comply with the order passed by this Court and though this Court specifically directed them to pass orders and communicate the same to the petitioner by 31.02.2022, the respondents have not complied with the said order within the time stipulated by this Court.

3. In response to the notice issued by this Court, the respondents filed counter affidavit along with typed set of papers wherein, a copy of the proceedings dated 05.06.2024 is filed, purported to be the order passed pursuant to the direction issued in W.P.No.6114 of 2017. On perusal of the said order together with a translated copy, this Court is of the considered view that the respondents have complied with the order, though belatedly. As this Court while confirming the impugned order in W.P.No.6114 of 2021, has extended concession by permitting the petitioner to make a representation and the same was considered by the respondents by passing the order dated 05.06.2024, this Court is not inclined to continue the contempt proceedings against the respondents on the ground that the respondents have complied with the said order belatedly as there is no deliberate violation of the order passed by this Court.

4. In the circumstances, the contempt petition is closed, leaving it



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open to the petitioner to take appropriate steps against the proceedings dated 05.06.2024 if so advised and aggrieved by the said order.

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Index : Yes / No
Internet : Yes / No
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MUMMINENI SUDHEER KUMAR ,J.

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