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Cont.P. No. 1037 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2024

CORAM

THE HONOURABLE MR. JUSTICE MUMMINENI SUDHEER KUMAR

Cont.P. No.1037 of 2023

P.Brida Rani

.. Petitioner

Vs.

1.Thiru.K.Nandakumar, I.A.S.,
The Director of School Education,
College Road, Chennai – 600 006.

2.Pugazhenthai,
The Chief Educational Officer,
Kanyakumari

3.M.Antoni Pichai,
The Correspondent,
St. Joseph Higher Secondary School,
Keezha Asaripallam,
Kanyakumari District - 629 201.

.. Respondents

Prayer: Contempt petition filed under Section 11 of Contempt of Court Act, 1971, to punish the Respondents for wilful disobedience of the order passed in W.P.No.30226 of 2014 dated 17.02.2021.

For Petitioner : Mrs.P.Brida Rani
Party-in-Person

For Respondents : Mrs.Mythreye Chandru
Special Government Pleader.

ORDER

This contempt petition has been filed alleging violation of the order



passed by this Court dated 17.02.2021 in W.P.No.30226 of 2014. The operative portion of the said order reads as under:

“2.Today, when the matter was taken up for consideration, the learned counsel for the petitioner, on instructions, submitted that subsequent to the filing of this writ petition, the respondent authorities have passed an order dated 29.05.2019 absorbing the petitioner in service and hence, nothing survives for adjudication. However, the learned counsel sought liberty to the petitioner to approach the respondent authorities for any other relief.

3.Granted such liberty to the petitioner, this writ petition stands closed. No costs.”

2. From a perusal of the above order, it is clear that there was no order or direction issued by this Court requiring the respondents to comply with the same. It is only basing upon the submission made by the learned counsel who appeared for the writ petitioner, stating that the relief sought in the writ petition does not survive any more, the said writ petition was closed by this Court. Hence, the question of violation of the said order dated 17.02.2021 does not arise. If the proceedings dated 29.05.2019 which is basis for closure of the writ petition is not given effect or implemented, it is



for the petitioner to take appropriate steps in accordance with law.

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3. Further, it is necessary to notice that when the respondents issued transfer and posting orders posting the petitioner to Lutheran Middle School, Marukalthalai, Nagercoil, the petitioner refused to receive the said proceedings before this Court and to that effect a docket order was also passed by a learned Judge of this Court which reads as under:

“Today, when the matter was taken up for consideration, Mrs.Muthreye Chandru, learned Special Government Pleader produced in Na.Ka.No.1427/A3/2022 dated 27.06.2024 issued by the second respondent, in and by which, the petitioner has been transferred and posted at Lutheran Middle School, Marukalthalai, Nagercoil.

2.However, the petitioner who appears in person, before this Court, refused to receive the aforesaid proceedings.

3.Post the matter on 12.07.2024 for passing further orders.”

4.In the light of the above, this Court is throughly convinced that the question of violation of the order dated 17.02.2021 passed by this Court in W.P.No.30226 of 2014 does not arise and accordingly, the contempt petition is dismissed leaving it open to the petitioner to take appropriate steps if, in case, she has any grievance against the respondents.



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($\frac{1}{2}$)

Index : Yes / No

Internet : Yes / No

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MUMMINENI SUDHEER KUMAR, J.

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