



WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **26.09.2024**

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THE HONOURABLE Ms.JUSTICE **P.T.ASHA**

Cont.P.(MD) Nos.200 to 202 of 2024

in

W.P.(MD) Nos.7387, 7647 and 7659 of 2024

The Correspondent
St.Mary Goretty Higher Secondary School,
Manalikai 629 164,
Kanyakumari District.

... Petitioner in Cont.P.(MD) No.200 of 2024

The Correspondent,
St.Joseph Primary School,
Manalikai 629 164,
Kanyakumari District.

... Petitioner in Cont.P.(MD) No.201 of 2024

The Correspondent
Carmel Girls Higher Secondary School,
Manalikai 629 164,
Kanyakumari District.

... Petitioner in Cont.P.(MD) No.202 of 2024

/vs./



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1.Kumara Kuru

2.Vijayendra Pandian

3.Arivoli

4.Yesudass

5.Balathandiyudha Paani

6.C.Marimuthu

7.Sathiyadhas

... Contemnors in Cont.P.(MD) Nos.200 and 202 of 2024

1.Kumara Kuru

2.Vijayendra Pandian

3.Arivoli

4.Yesudass

5.Balathandiyudha Paani

6.Karthigeyan Nair

7.Kumaran

... Contemnors in Cont.P.(MD) No.201 of 2024

COMMON PRAYER: Contempt Petitions filed under Section 11 of the Contempt of Courts Act, 1971, to punish the contemnors/respondents herein for their



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deliberate and wilful disobedience of the order of this Court dated 28.06.2023 in W.P.(MD) Nos.7387, 7647 and 7659 of 2020 amounting to contempt of Court under Article 215 of the Constitution of India read with Section 11 of the Contempt of Courts Act, 1971.

For Petitioner
in all Cont.Ps., : Mr.T.Cibi.Chakravarthy

For Contemnors
in all Cont.Ps., : Mr.Veerakathiravan AAG assisted by
Mr.T.Amjadkhan
Government Advocate

COMMON ORDER

These contempt petitions have been filed stating that the orders passed by this Court dated 28.06.2023 in W.P.(MD) Nos.7387, 7647 and 7659 of 2020 have been wilfully disobeyed and therefore, the respondents have to be punished for contempt.

2. The contempt petitions arise against 7 Officers, against whom the petitioners seek to have the contempt proceeding initiated. On 20.09.2024, the Officials had demonstrated the manner in which the remuneration of the employees/teachers are being uploaded. From this demonstration, this Court found that the initial login is seamlessly taking place and for the subsequent



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login, it is the school, who had to provide the KYC forms. Admittedly, the petitioner had not provided the KYC forms. Therefore, this Court had passed the following order on 20.09.2024:-

"From the demonstration, which has been shown, the initial logging in has taken place without any hitch. For the subsequent log in, it is informed that the Schools concerned have to provide the KYC forms. It is informed to this Court that the KYC forms have been submitted by the School and the Department has now directed them to co-ordinate with the office of the District Educational Officer and to obtain the roll access, which involves obtaining unique identity numbers for the employees/teachers of the Schools. From the above submissions, it is clear that now it is for the School to respond to the registered letters, which has been sent by the Department.

Post the matter on 26.09.2024 at 02.15 pm. The petitioner shall report the further progress on the same to this Court. The Officials are present before this Court to show as to how the entire process takes place. The Court records its appreciation to these Official and dispense their presence."



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3. Today, a minutes of the meeting that was held by the Officials with the representatives of the aided schools in the office of the District Education Officer on 23.09.2024 had been produced before this Court, in which they have extracted the demand that has been made by the aided Schools, which are as follows:-

"1. The name of the "Correspondent/Secretary/Manager" is reflecting as Employee details under the module of Self Service" icon of aspects of the software and this has to be addressed and the name of the Correspondent/ Secretary/Manager shall reflect under Employer module and in other modules of the IFHRMS software.

2. The provision of Roll of assigning of creating of approval group shall be assigned by the Correspondent/Secretary/Manager of the respective schools instead of District Educational Officer.

3. The provision of a sub-code for forwarding the bills to the District Treasury/ Sub Treasury after the approval of the bills by the District Educational Officer shall be provided to the Correspondent/Secretary/Manager in the software."

4. It is also seen that the respondents have informed that the first demand



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which had been raised would be addressed after consulting with IFHRMS and that the second demand, which has now been placed, is a new one and the third demand had already been addressed vide reply dated 10.06.2024.

5. It is to be noted that over 6,000/- schools around the State are complying with the existing procedure of the portal. Apart from schools, the Government staff, pensioners etc are using the portal without any hitch. Therefore, no contempt made out against the respondents, who have complied with the orders of this Court. It is the contempt petitioners who are not willing to adopt to the new scheme proposed by the Government.

6. Since there is substantial compliance of the orders of this Court by the respondents and as it is the petitioners, who are not co-operating with the respondents, these Contempt Petition stands closed.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No
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P.T.ASHA, J.

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