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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Friday, the Eighth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice MUMMINENI SUDHEER KUMAR

SUB A(MD). No.22 and 23 of 2024
IN
CONT P(MD).No.211 and 212 of 2023

The Correspondent
St.Xaviers Higher Secondary School
Palayamkottai-627002 ,
Tirunelveli District.

... Petitioner/Petitioner/
Petitioner(in both cases)

Vs

1 Thirupathy,
The Chief Educational Officer,
Tirunelveli
Tirunelveli District.

2 R.V. Ramavathy,
The District Educational Officer,
Tirunelveli,
Tirunelveli District.

... Contemnor/Contemnor/Respondent
(in both cases)

Common Prayer :-

Petition Under Section 151 of CPC to reopen in the Contempt Petition (MD).
No. 211 and 212 of 2023 dated 25.08.2023 and pass such further or other suitable
order/orders as this Honourable Court may deem fit and proper in the
circumstances of the case.



Prayer in CONT P(MD). 211/ 2023 :

Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the Contemnors / respondents herein for their deliberate and willful disobedience of the Order of this Honourable Court dated 02.09.2022 in Writ Petition (MD).No.12897 of 2021 under Article 215 of the Constitution of India read with Section 11 of the Contempt of Courts Act, 1971.

Prayer in WP(MD). 12897/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the 4th respondent District Educational Officer in O.Mu.No.3410/A2/2020 dt. 16.12.2020 denying approval to the appointment of A.Arul Sebastin as BT Assistant (English) Quash the same, and further direct the 3rd respondent CEO to approve forthwith the promotion of A.Arul Sebastin as BT Assistant (English) in the petitioner -school w.e.f.02.07.2015, with all attendant benefits including arrears of salary.

Prayer in CONT P(MD). 212/ 2023 :

Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the Contemnors / respondents herein for their deliberate and willful disobedience of the Order of this Honourable Court dated 02.09.2022 in Writ Petition (MD).No.12898 of 2021 under Article 215 of the Constitution of India read with Section 11 of the Contempt of Courts Act, 1971.

Prayer in WP(MD). 12898/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the 4th respondent District Educational Officer in O. Mu.No.3411/A2/2020 dt. 16.12.2020 denying approval to the promotion of I.Joseph Rozari Jerom as BT Assistant (Tamil) Quash the same, and further direct the 3rd respondent CEO to approve forthwith the promotion of I.Joseph Rozari Jerom as BT Assistant (Tamil) in the petitioner -school w.e.f.01.07.2015, with all attendant benefits including arrears of salary.

ORDER:- This Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/s. Isaac Chambers, Advocate for the Petitioner(in both cases) and of M/s. V.O.M.Prakash, Government Advocate for the respondents(in both cases), this Court made the following order:



In view of the order passed in Sub Application (MD)No.46 of 2024, these Applications are ordered and the Contempt Petitions (MD)Nos.22 and 23 of 2024, are restored on the file of this Court.

2. Post the contempt petitions on 22.03.2024 "for reporting compliance"

Sd/-

Assistant Registrar(CS I)

// True Copy //

/03/2024

Sub Assistant Registrar
(CS- I/ II / III / IV)

TO

1. The Chief Educational Officer,
Tirunelveli
Tirunelveli District.
- 2 The District Educational Officer,
Tirunelveli,
Tirunelveli District.

Copy to:

The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court, Madurai



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ORDER DATED : 08/03/2024

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RESTORE

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SUB A(MD). No.22 of 2024
IN
CONT P(MD).No.211 and 212 of 2023
Giving direction and etc.
as stated within.

MGJ(15.03.2024) 4P 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023