



Cont. P(MD)No.277 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.07.2024

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

Cont. P(MD)No.277 of 2024

in

W.P(MD)No.4682 of 2023

Minor.S.Srisaranya,
D/o.Late T.Sithaiyan,
Represented through her next friend
and grand-mother
T.Jayalakshmi.

... Petitioner

Vs.

1.G.Arivoli,
The Director of School Education,
DPI Campus, 6, College Road,
Subba Road Avenue,
Nungambakkam,
Chennai-600 006.

2.K.Karthika,
The Chief Education Officer,
Thallakulam,
Madurai-625 002.

3.K.Selvaganesan,
The Primary Education Officer,
Thirumangalam Government Boys School Campus,
Thirumangalam.



Cont. P(MD)No.277 of 2024

4.C.Kennedy,
The Block Education Officer,
Thiruparankundram,
Koodalmalai School Campus,
Madurai-625 005.

5.S.Kavitha

... Respondents

Prayer : Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, to punish the contemnors / respondents for their willful non-compliance of the order of this Court made in W.P(MD)No.4682 of 2023, dated 23.11.2023.

For Petitioner : Mr.A.Haja Mohideen

For R-1 to R-4 : Mr.D.Sadiq Raja
Additional Government Pleader

For R-5 : Mr.M.R.Krishnakumar

ORDER

The instant contempt petition has been filed by the petitioner in W.P(MD)No.4682 of 2023 alleging that the fifth respondent in the writ petition has not complied with the orders of this Court, which was based upon a compromise arrived at between the parties in mediation proceedings.



Cont. P(MD)No.277 of 2024

WEB COPY

2. As per the settlement entered into between the parties in the mediation, the fifth respondent was directed to deposit a sum of Rs.4,00,000/- in the name of the minor writ petitioner in a Nationalized Bank. On such deposit, the said minor writ petitioner will not have any objection for granting compassionate appointment to the fifth respondent in the writ petition. Recording the said compromise, an order was passed on 23.11.2023.

3. The fifth respondent has accordingly deposited a sum of Rs.4,00,000/- in the name of the minor writ petitioner. However, as per the Kisan Vikas Patra certificate, the fifth respondent in the writ petition is shown as the guardian of the minor writ petitioner instead of the grand-mother, T.Jayalakshmi.

4. The learned Counsel appearing for the contempt petitioner apprehends that the fifth respondent may withdraw the amount from the Bank at any point of time, thereby, causing prejudice to the minor writ petitioner.

5. A perusal of the compromise reveals that there is no indication about, who should be the guardian for the minor for such deposit. Therefore, this Court does not find any reason to hold that the fifth respondent in the writ



Cont. P(MD)No.277 of 2024

petition has violated the orders of this Court. However, in order to allay the fears of the writ petitioner, it is directed that the fifth respondent shall neither withdraw the interest nor the principal amount from the Bank without getting prior approval from the Court.

6. With the said observations, the contempt petition stands closed.

08.07.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR

Note: Registry is directed to mark a copy of this order to Tallakulam Head Post Office along with a xerox copy of Kisan Vikas Patra.

To

1.The Director of School Education,
DPI Campus, 6, College Road,
Subba Road Avenue,
Nungambakkam,
Chennai-600 006.

2.The Chief Education Officer,
Thallakulam,
Madurai-625 002.



Cont. P(MD)No.277 of 2024

WEB COPY

3. The Primary Education Officer,
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Cont. P(MD)No.277 of 2024

R.VIJAYAKUMAR, J.

BTR

Cont. P(MD)No.277 of 2024

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