



CONT.P.(MD)No.1377 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CONT.P.(MD)No.1377 of 2024

in

WP(MD) No.7230 of 2022

Dr.A.Felcy Navajothy,
Assistant Professor – Physics,
Sarah Tucker College,
Tiruvandrum Road,
Tuckerammalpuram,
Palayamkottai,
Tirunelveli – 627 007

... Petitioner

Vs

Mr.S.Karmegam,
Director of Collegiate Education,
College Road,
Chennai – 600 006.

...Contemnor/Respondent

PRAYER: Contempt Petition filed under Section 10 of the Contempt of Courts Act, praying this Court to punish the contemnor/second respondent herein for their deliberate and willful disobedience of the order of this Court, dated 22.09.2023 in WP(MD) No.7230 of 2022, amounting to contempt of Court, under



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Article 215 of the Constitution of India read with Section 11 of the Contempt of Courts Act, 1971.

For Petitioner	:Mr.T.Cibichakraborty
For Respondent	:Mr.P.T.Thiraviam
	Government Advocate

ORDER

This contempt petition is filed that the order of this Court in WP(MD) No.7230 of 2022, dated 22.09.2023 has not been complied with.

2.Today(06.12.2024), when this contempt petition is taken up for hearing, the learned Government Advocate appearing for the respondents by referring to the proceedings of the Director of Collegiate Education, Chennai in Na.Ka.No.44402/F4/2023-1, dated 10.10.2024 submits that the request of the petitioner was considered and it was rejected. A copy of the proceedings is also placed before this Court.



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3.In reply, the learned counsel appearing for the petitioner submits that similarly placed person, namely, Dr.S.Sophia Christina, Assitant Professor of St.John's College, Palayamkottai, Tirunelveli has filed a contempt petition before this Court in Cont.P(MD) No.2078 of 2024 in WP(MD) No.3873 of 2024, wherein, this Court has felt that the order passed by the Directorate of Collegiate is not proper and thereafter, the similar order passed by the Directorate of Collegiate Education on the similarly placed person was recalled and an approval of appointment has been granted to her by a proceedings of the Directorate of Collegiate Education in R.C.No.21992/F4/2023, dated 29.11.2024. However, according to the learned Counsel, the respondent is taking a different stand for this petitioner alone.

4.This Court considered the rival submissions made and also perused the materials placed on record.



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5.This Court, by order, dated 22.09.2023 has disposed of WP(MD) No.7230 of 2022 with the following directions:-

4.In view of the subsequent development, this Court directs the second respondent to consider the claim of the petitioner with regard to payment of salary and other benefits from the date of her appointment (ie) 02.12.2020 and pass appropriate orders, on merits and in accordance with law and also taking into account the communication of the first respondent, dated 01.09.2023 as referred to above. Such exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order."

6.Though the petitioner claims that similar order passed as against the similarly placed person has been subsequently recalled by the Department and an order of approval for appointment of the similarly placed person has been passed, by order dated 29.11.2024, this Court is of the view that there is no specific direction in the order passed by this Court in WP(MD) No.7230 of 2022, dated 22.09.2023. Considering the limited scope of this contempt petition,



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this Court is not inclined to pass any directions in this contempt petition. Accordingly, this contempt petition is closed. However, it is always open to the petitioner to challenge the proceedings of the Directorate of Collegiate Education, dated 10.10.2024 in the manner known to law.

06.12.2024

Index:Yes/No
Internet:Yes/No
vrn

To

Mr.S.Karmegam,
Director of Collegiate Education,
College Road,
Chennai – 600 006.



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B.PUGALENDHI, J.

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in
WP(MD) No.7230 of 2022

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