



CONT.P(MD)No.275 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.08.2025

CORAM

THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

CONT.P(MD) No.275 of 2024

in

W.P.(MD) No.22076 of 2016

R.Renuga Devi
D/o. Rajayan,
9/195-1, West Street,
Koodaikulam-627106,
Tirunelveli District.

... Petitioner

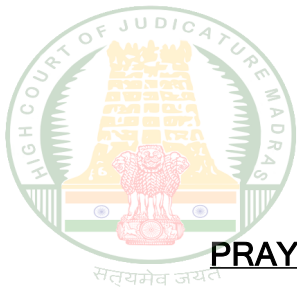
vs.

1. Kannappan
The Director of Elementary School Education,
DPI Compound,
College Road, Chennai.

2. Sherlin Vimal,
The District Elementary Educational Officer,
Tirunelveli District, Tirunelveli.
Re designated as The District Educational Officer,
Valliyur, Tirunelveli District.

3. Subbaih Anadam,
Ass. Elementary Educational Officer,
Radhapuram,
Re Designated as Block Educational Officer,
Radhapuram Block,
Radhapuram,
Tirunelveli District.

... Respondents



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PRAYER: Contempt Petition filed under Section 11 of the Contempt of Court to initiate contempt proceedings under Section 11 of the Contempt of Courts Act, 1971, against the Contemnors/respondents herein for their willful disobedience to the order passed by this Court in W.P.(MD).No.22076 of 2016, dated 18.11.2016 and punish them accordingly.

For Petitioner :Mr.S.Chellapandian

For Respondents :Mr.D.Sadiq Raja
Additional Government Pleader

ORDER

This Contempt Petition has been filed to punish the contemnors/respondents for wilfully disobeying and not complying with the order of this Court passed in W.P(MD) No.22076 of 2016, dated 18.11.2016.

2.Heard Mr.S.Chellapandian, learned counsel for the petitioner and Mr.D.Sadiq Raja, learned Additional Government Pleader for the respondents, who accepts notice on behalf of the Respondents. Therefore, no further notice is required to be issued to the Respondents.

3.This Court vide order dated 21.07.2025, passed the following order:

This Contempt Petition has been filed to punish the contemnors/respondents for wilfully disobeying and not complying with the order of the Hon'ble Writ Court passed in W.P(MD) No.22076 of 2016, dated 18.11.2016.



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2.Heard Mr.S.Chellapandian learned counsel for the petitioner and Mr.D.Sadiq Raja, learned Additional Government Pleader for the respondents.

3.The Co-ordinate Bench of this Court in a bunch of writ petitions, in which, the main writ petition number is W.P.(MD) No.22075 of 2016, vide judgment and order dated 18.11.2016, had passed the following order:-

“ 5.In the result, the impugned orders in each of petitions are set aside. These writ petitions are disposed of, directing the 3rd respondent in all the cases to consider the proposals sent by the 4th respondent schools, seeking the approval of the appointment of the petitioners as Secondary Grade Teacher, in the light of the Division Bench Judgment in W.A(MD) Nos. 639 of 2015 etc., dated 17.06.2015 and to pass the order of approval, within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, W.M.P (MD) Nos. 15379 to 15383 of 2016 are closed”

4.The learned counsel for the petitioner submits that despite the judgment and order passed by this Court in W.P.(MD)No.22076 of 2016, dated 18.11.2016, the respondents have not complied with the directions of this Court and have wilfully and deliberately flouted the order passed by this Court and are in contempt of the order of this Court dated 18.11.2016. Thus, they should be summoned and punished by exercising the powers under Sections 11 and 12 of the Contempt of Courts Act, 1971.

5.Today, when the matter is taken up, Mr.D.Sadiq Raja, learned Additional Government Pleader for the respondents, in compliance of the judgment and order made in W.P.(MD)No.22076 of 2016, dated 18.11.2016, has filed a copy of the compliance affidavit of the third respondent, dated 21.07.2025, annexing a copy of the order of the third



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respondent, dated 23.07.2024 along with payment details, in which, it has been stated that the direction issued by this Court, vide judgment and order dated 18.11.2016, in W.P.(MD) No.22076 of 2016 has been complied with and the petitioner was paid some amounts. In paragraph No.6 of the compliance affidavit, the aforesaid fact has been clearly stated as follows:-

“6.In obedience to the order made in W.P.(MD).No.22076 of 2016 dated 18.11.2016 the District Educational Officer(Elementary), Valliyur vide proceedings dated 23.07.2024 made in Na.Ka.No.606/Aa2/2024 complied the order in letter and spirit thereby approved the appointment of the writ petitioner w.e.f. 05.12.2014. The monetary benefits were also paid in full.”

6.He further assures this Court that arrears of pension payable by the respondents will be paid to the petitioner from 05.02.2014 to 31.12.2023, in accordance with law, in the account of the petitioner within two weeks from today without fail.

7.A copy of the compliance affidavit filed by the third respondent, dated 21.07.2025, is produced before this Court, which is now taken on record and a copy of the same has also been given to the learned counsel for the petitioner.

8.Mr.S.Chellapandian, learned counsel for the petitioner submits that he has received a copy of the compliance affidavit of the third respondent, dated 21.07.2025, annexing a copy of the order of the third respondent, dated 23.07.2024 along with payment details and submits that even though the petitioner's appointment was approved with effect from 05.12.2014, there is no whisper in the compliance affidavit of the third respondent in respect of arrears of pension payable to the petitioner by the respondents, as directed by the Writ Court, vide judgment and order dated 18.11.2016. Thus, he submits that the respondents have not made full compliance of the judgment and order



made in W.P.(MD) No.22076 of 2016, dated 18.11.2016 and are in contempt of the order of this Court dated 18.11.2016.

9.However, based on the assurance given by Mr.D.Sadiq Raja, learned Additional Government Pleader for the respondents that arrears of pension payable by the respondents will be paid to the petitioner from the due date., ie., from 05.02.2014 to 31.12.2023, in accordance with law, in the account of the petitioner within two weeks from today without fail, he has no objection, if the respondents are granted some further time to make compliance of the order dated 18.11.2016. It was further submitted that a positive direction may be given to the respondents to grant arrears of pension payable to the petitioner as assured by the learned Additional Government Pleader within the time frame fixed by this Court.

10.Accordingly, in view of the submissions made by the learned counsel for the parties, after perusal of the judgment and order passed in W.P.(MD) No.22076 of 2016, dated 18.11.2016 and the compliance affidavit filed by the third respondent, dated 21.07.2025, annexing a copy of the order of the third respondent, dated 23.07.2024 along with payment details and also as per the assurance given by Mr.D.Sadiq Raja, learned Additional Government Pleader that arrears of pension payable by the respondents will be paid to the petitioner from the due date., ie., from 05.02.2014 to 31.12.2023, in accordance with law, in the account of the petitioner within two weeks from today without fail, this Court grants two weeks time to the respondents to make full compliance of the judgment and order passed by this Court, dated 18.11.2016 without fail, failing which, the respondents are directed to appear in person before this Court to justify their conduct by filing an affidavit and why this Court should not proceed with the contempt proceedings against them.



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11.Put up this case 'for further orders' before this Court on 10.08.2025. Let a copy of this order be given to Mr.D.Sadiq Raja, learned Additional Government Pleader for information and its necessary compliance."

4. Today, when the matter is taken up, Mr.D.Sadiq Raja, learned Additional Government Pleader for the respondents has filed an affidavit of compliance of the respondents, dated 11.08.2025, annexing a copy of the order passed by the second respondent, dated 23.07.2024, in which it has been stated that the direction issued by the Writ Court in W.P.(MD) No.22076 of 2016, dated 18.11.2016 as well as the direction issued by this Court vide order dated 21.07.2025 in the present contempt petition has been fully complied with and the entire monetary benefits have been paid to the petitioner and no amount is due to the petitioner.

5.In paragraph No.6 of the compliance affidavit, the aforesaid fact has been clearly stated, which is reproduced hereunder:-

" 6.In obedience to the order made in W.P.(MD).No.22076 of 2016, dated 18.11.2016 the District Educational Officer (Elementary), Valliyur, vide his proceedings dated 23.07.2024, made in Na.Ka.No.606/Aa2/2024 complied the order in letter and spirit thereby approved the appointment of the writ petitioner w.e.f. 05.12.2014. The monetary benefits were also paid in full to the tune of Rs.29,09,789/- (Rupees Twenty Nine Lakhs Nine Thousand Seven Hundred and Eighty Nine Only)."



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WEB COPY 6.A copy of the compliance affidavit filed by the respondents, dated 11.08.2025 has been produced before this Court, which is now taken on record and a copy of the same has also been given to the learned counsel for the petitioner.

7.Thus, the learned Additional Government Pleader for the respondents submits that the respondents may be discharged from the present contempt proceedings, as the judgment and order of the Hon'ble Writ Court in W.P.(MD).No.22076 of 2016 dated 18.11.2016, has been fully complied with by the second respondent, vide order dated 23.07.2024 and the present Contempt Petition may also be disposed of, accordingly.

8.Mr.S.Chellapandian, learned counsel for the petitioner submits that he has received a copy of the compliance affidavit filed by the respondents, dated 11.08.2025, annexing a copy of the Order passed by the second respondent dated 23.07.2024 and has no objection, if the respondents are discharged from the contempt proceedings, as the judgment and order of this Court dated 18.11.2016 has been complied with by the respondents, vide order dated 23.07.2024. He further submits that the entire monetary benefits due to the petitioner have already been paid to the petitioner and as of now, no amount is due to the petitioner.



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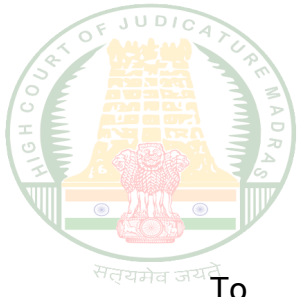
9. Accordingly, in view of the submissions made by the learned counsels for the parties and after perusal of the judgment and order made in W.P.(MD).No. 22076 of 2016 dated 18.11.2016 and the compliance affidavit filed by the respondents, dated 11.08.2025, annexing a copy of the order passed by the second respondent, dated 23.07.2024 and also considering the fact that the entire monetary benefits have already been paid to the petitioner, this Court is satisfied that the direction issued by the Writ Court in W.P.(MD) No.22076 of 2016, dated 18.11.2016 as well as the direction issued by this Court vide order dated 21.07.2025 in the present contempt petition has been fully complied with by the respondents and thus, no useful purpose would be served in continuing the present contempt proceedings against the respondents. Accordingly, the respondents are discharged from the present contempt proceedings.

10. In view of the above, the Contempt Petition is finally **disposed of**.
No costs. The file is consigned to record.

Index : Yes / No
Internet : Yes / No

11.08.2025

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To
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The District Elementary Educational Officer,
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Re designated as The District Educational Officer,
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SHAMIM AHMED, J.

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