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CONT.P(MD)No.231 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.06.2025

CORAM

THE HONOURABLE MR.JUSTICE SHAMIM AHMED

CONT.P(MD)No.231 of 2025

T.Elangovan

... Petitioner

VS.

1.P.A.Naresh
Director of Elementary Education,
College Road, Chennai - 6.

2.R.Annadurai,
Chief Educational Officer,
Tanjore, Tanjore District.

3.M.Ayya Kannu,
District Educational Officer,
now re-designated as
District Educational Officer (Elementary),
Kumbakonam, Tanjore District.

4.Manikandan,
Block Educational Officer,
Kumbakonam, Tanjore District.

... Respondents

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Court to punish the contemnors/respondents for wilful disobedience of the order of this Court passed in W.P.(MD)No.9999 of 2022 dated 24.10.2024.

For Petitioner	:Mr.T.Pon Ramkumar
For Respondents	:Mr.D.Sadiq Raja, Additional Government Pleader



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ORDER

This is a petition seeking initiation of contempt proceedings against the respondents for violation of the order this Court, dated 24.10.2024 passed in W.P.(MD)No.9999 of 2022.

2.Heard Mr.T.Pon Ramkumar, learned Counsel for the petitioner and Mr.D.Sadiq Raja, learned Additional Government Pleader for the respondents.

3.When the matter was taken up on 26.02.2025, this Court has passed the following order:

“Heard Mr.T.Pon Ramkumar, learned counsel for the Petitioner and Mr.F.Deepak, learned Special Government Pleader, accepts notice on behalf of the Respondents.

2. Mr.T.PonRamkumar, the learned counsel for the petitioner, submits that the learned Single Judge of this Court vide order dated 24.10.2024 allowed the Writ Petition in W.P.(MD)No.9999 of 2022. For better appreciation, the relevant portion of the order is reproduced below:

“12. The learned counsel for the petitioner has relied on the judgment of the Division Bench of this Court in W.A.(MD) No.2124 of 2023 and batch cases, dated 20.12.2023, wherein, it has been categorically stated that “this Court was in agreement with the learned Single Judge regarding setting aside the recovery alone. However, it is made clear that the writ petitioners are not entitled for incentive increments for the qualification of B.Ed., degree. Accordingly, the re-fixation done by the competent authorities stands confirmed”.

13. The relevant portion of the aforesaid judgment dated 20.12.2023, is extracted hereunder:-

“9. Thus, we are in agreement with the learned Single Judge regarding setting aside the recovery alone. However, it is made clear that the writ petitioners are not entitled for incentive increments for the qualification of B.Ed., degree. Accordingly, the re-fixation done by the competent



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authorities stands confirmed.”

14. In view of the ratio laid down by the Division Bench of this Court in W.A.(MD) No.2124 of 2023, dated 20.12.2023, the impugned proceedings dated 11.08.2016 passed by the first respondent in Na.Ka.No.012605/E1/2016 and the consequential proceedings of the second respondent in Na.Ka.No. 3096/E1/2020 dated 11.04.2022, are liable to be quashed and accordingly, the same is quashed.

15. The writ petition stands allowed. Consequently, the connected miscellaneous petitions are closed. No costs.”

3. Aggrieved by the order passed by this Court on 24.10.2024 in W.P.(MD)No.9999 of 2022, the Respondents filed a Writ Appeal in W.A.(MD)No.169 of 2025. The Division Bench of this Court, vide its judgment and order dated 13.02.2025, disposed of the Writ Appeal, directing the appellants to re-fix the pay from 11.08.2016. Additionally, it was directed that the quantified amount shall not be recovered from the writ petitioner. For better appreciation, the relevant portion of the order is reproduced below:”

“3.The only issue canvassed before us is that though the learned Judge has granted the relief of re-fixation, but in the end of the order, the learned Single Judge has quashed the entire proceedings. Further, it was observed that the quantified amount may be collected. Therefore, it is suffice to clarify the same.

4.In view of the above, the appellants are permitted to re-fix from 11.08.2016. However, the quantified amount shall not be recovered from the writ petitioner. The impugned orders in the Writ Petition passed by the appellants/respondents are modified as stated supra.

5.With the above clarification, this Writ Appeal is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.”

4. The learned counsel for the Petitioner further submits that despite the judgment and order passed by the Appellate Court on 13.02.2025 in W.A.(MD)No.169 of 2025., the Respondents have not complied with it, and the benefit has not been given to the Petitioner. Thus, the learned counsel submits that the Respondents have committed fraud upon this Court and are in contempt. He also submits that the Respondents may be summoned before this Court and punished for committing contempt by exercising the powers under Sections 11 and 12 of the Contempt of Courts Act, 1971.

5.Mr.F.Deepak, the learned Special Government Pleader appearing on behalf of the Respondents, submits that proceedings are ongoing to comply with the judgment and order dated 13.02.2025 passed in W.A.(MD)No.169 of 2025. He assures this Court that whatever order is passed by this Court will be fully complied with and requests two weeks' time to ensure compliance with the said order.

6.In view of the assurance given by Mr.F.Deepak, learned Special Government Pleader, this Court grants the Respondents two weeks' time



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to fully comply with the order dated 13.02.2025 passed in W.A.(MD)No. 169 of 2025, without fail. The Respondents are directed to file an affidavit of compliance in this regard on or before the next fixed date. Failure to comply with the said order within the stipulated time frame will necessitate the Respondents' personal appearance before this Court on the next fixed date.

7. Put up this case on 17.03.2025 "For Orders".

8. Let a copy of this order is given to Mr.F.Deepak, learned Special Government Pleader for its necessary compliance and information to the Respondents."

4.Today, when the matter is taken up for hearing, Mr.F.Deepak, learned Special Government Pleader appearing on behalf of the respondents has filed a compliance affidavit annexing the copy of the order, dated 03.03.2025 passed on behalf of the respondents and submits that the respondents have made fully complied with the judgment and order passed by this Court, dated 24.10.2024 passed in W.P.(MD)No.9999 of 2022. The learned Special Government Pleader further submits that as the respondents have made fully complied with the judgment and order passed by this Court, they may be discharged from the present Contempt proceedings.

5.Mr.T.Pon Ramkumar, learned Counsel for the petitioner submits that he has also received the compliance affidavit, dated 17.03.2025 along with the copy of the decision taken by the respondents, dated 03.03.2025 and submits that the respondents have made complied with the judgment and order passed by this Court 24.10.2024 passed in W.P.(MD)No. 9999 of 2022. Thus, he submits that he has no objection that the respondents may be discharged from the present



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contempt proceedings and the Contempt Petition may be disposed of.

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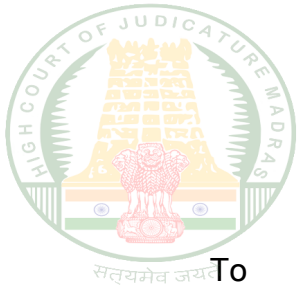
6. Accordingly, In view of the submissions made by the learned counsel for the parties and upon perusal of the compliance affidavit and the order passed on behalf of the respondents, dated 03.03.2025, this Court also deem it appropriate that no useful purpose would be served by keeping the present contempt proceedings pending. Accordingly, the respondents are discharged from the contempt proceedings.

7. In view of the above, the Contempt Petition is disposed of. The file shall be consigned to record. No costs.

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

13.06.2025

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To

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College Road, Chennai - 6.
- 2.The Chief Educational Officer,
Tanjore, Tanjore District.
- 3.The District Educational Officer,
now re-designated as
District Educational Officer (Elementary),
Kumbakonam, Tanjore District.
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SHAMIM AHMED, J.

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