



Cont.P(MD)No.320 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Reserved on : **04.04.2025**

Pronounced on : **28.04.2025**

CORAM:

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

Cont.P.(MD)No.320 of 2025
in W.P.(MD)No.18582 of 2024

S.Periasamy

... Petitioner / Petitioner

Vs.

S.Marimuthu,
The District Educational Officer,
Sivagangai, Sivagangai District.

... Contemnor/Respondent

PRAYER: Petition filed under Section 11 of the Contempt of Courts Act, to please To punish the Contemnor/ Respondent herein for his deliberate and willful disobedience of the Order of this Court dated 02-08-2024 in Writ Petition (MD) No.18582 of 2024.

For Petitioner : Mr. K.Ragatheesh Kumar
for Isaac Chambers

For Respondent : Mr.M.Siddarthan



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ORDER

While allowing a writ petition in WP(MD)No.18582 of 2024 on 02.08.2024, this Court issued the following direction:

“In view of the above stated reasons, this writ petition is allowed with a direction to the third respondent to consider the petitioner's claim and pass orders, by granting the annual increments along with monetary benefits from the date on which he was eligible and disburse the same to the petitioner within a period of four weeks from the date of receipt of a copy of this order”.

2. Complaining the disobedience on the part of the respondent in implementing the said order, the present contempt petition is filed.

3. The respondent filed a counter affidavit, wherein it is stated that he implemented the order of this Court. However, he admitted that there is a delay in implementing the order of the Court.



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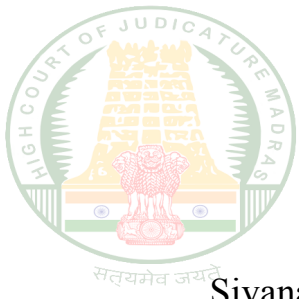
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4. Considering the facts and circumstances of the case, in the considered opinion of this court, the order of the Court is not complied with in true letter and spirit as it is not implemented within the time stipulated by this Court and as such, the respondent is liable to be punished under the provisions of the Contempt of Court Act.

5. At this stage, the contemnor prayed the Court to pardon him. He also assured to be more careful in future in implementing the court's order and tendered his unconditional apology.

6. The contemnor also filed an undertaking affidavit stating that he will implement the orders without delay in future and tendered his unconditional apology. It is further stated that to prove his unconditional apology as *bonafide*, he is ready to do some social work as this Court deems fit.

7. He expressed his willingness to visit the premises of SAKSHAM, Sivananda Sevasram Campus, 12/7, Austinpatti Road,



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Sivananda Nagar, Thoppur, Madurai-625 008 (Ph.No.+919884544004), which is being run for the welfare and rehabilitation of individuals affected by Autism, Cerebral Palsy, Down Syndrome and other intellectual disabilities and to provide necessary assistance by providing required articles for utilization of the inmates of the said Centre with his own money within a period of **two months** from the date of this order.

8. Considering the undertaking given by the contemnor, this Court opines that the unconditional apology is *bonafide* and accordingly inclined to close this Contempt Petition.

9. After visiting the said centre, the contemnor shall file an affidavit before the Registrar (Judicial), Madurai Bench of Madras High Court, Madurai, with regard to the service he rendered within a week thereafter to enable the Registrar (Judicial) to keep the same in the record for perusal of the Court.



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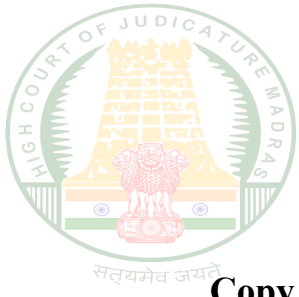
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10. If the contemnor fails to fulfill the undertaking, the Registry shall re-open the contempt petition and place before this Court.

11. Accordingly, this contempt petition is closed.

28.04.2025

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
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Copy to..

Ms.Jaya,
SAKSHAM,
Sivananda Sevasram Campus,
12/7, Austinpatti Road, Sivananda Nagar,
Thoppur, Madurai 625 008
(Ph.No.+919884544004)

To,

S.Marimuthu,
The District Educational Officer,
Sivagangai, Sivagangai District.



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BATTU DEVANAND, J.,

CM

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