



Contempt Petition (MD)No.424 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.04.2025

CORAM:

THE HONOURABLE **MR.JUSTICE SHAMIM AHMED**

Contempt Petition (MD)No.424 of 2025

In

W.P.(MD)No.17522 of 2022

Rajalakshmi,
TRBLGP553312, Physics,
W/o.Dineshkumar,
No.1/291-A-11, Kaveri Street,
Anbu Nagar,
Thiruppalai,
Madurai District.

Petitioner/Petitioner

Vs

1.Mr.K.Srinivsan,
The Chairman,
Teachers Recruitment Board,
4th Floor, EVK Sampath Maaligai,
DPI Complex, College Road,
Chennai.

2.Lalitha I.A.S.,
The Director,
The Department of Technical Education,
53, Sardar Patel Road,
Anna University,
Guindy, Chennai – 600 025.

Contemnors/Respondents



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PRAYER: Contempt Petition is filed under Section 11 of Contempt of Courts Act, to punish the Contemnors/ Respondents for willfully disobeying and not complying with the order passed by this Court in W.P(MD)No.17522 of 2022, dated 30.09.2024.

For Petitioner : Mr.S.Sivaprakash

For Respondents : Mr.V.R.Shanmuganathan
Standing Counsel
For R-1
Mr.F.Deepak
Special Government Pleader
For R-2

ORDER

This is a petition seeking initiation of contempt proceedings against the Respondent for violation of the order, dated 30.09.2024 passed by this Court in W.P.(MD)No.17522 of 2022.

2. Heard Mr.S.Sivaprakash, learned counsel for the Petitioner, Mr.V.R.Shanmuganathan, learned Standing Counsel, on behalf of the 1st



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Respondent and Mr.F.Deepak, learned Special Government Pleader on behalf of the 2nd Respondent.

2. When the matter was taken up on 07.04.2025, this Court passed the following order:

“When the matter was taken up on 03.03.2025, this Court passed the following order:

2. Mr.S.Sivaprakash, learned counsel for the petitioner, submits that the petitioner was eligible for appointment as Lecturer (Physics) in Government Polytechnic Colleges (Engineering/Non-Engineering) for the year 2018-2019, as per the notification dated 07.11.2019. However, the respondents failed to appoint the petitioner to the said post without providing any reasons, despite the petitioner meeting the eligibility criteria as per the Teacher Recruitment Board's rules. Aggrieved over the same, the Petitioner has filed a Writ Petition in W.P.(MD)No.17522 of 2022 and the learned Single Judge of this Court vide order dated 30.09.2024 allowed the said Writ Petition. For better appreciation, the relevant portion of the order is reproduced below:

“12. In view of the above, the second respondent is directed to consider the petitioner for the appointment of Lecturer (Physics) in the Government Polytechnic Colleges



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(Engineering/Non-Engineering) for the year 2017-2018, vide notification, dated 17.11.2019, if otherwise eligible as per the rules and regulations of the Teachers Recruitment Board. As per the interim order as well as the final order of this Court, the second respondent is also directed to rework the list of BC category as per the seniority in the selection list within period of 8 weeks from the date of receipt of copy of this order, since the petitioner was granted two marks for teaching experience.”

3. *The learned counsel for the Petitioner further submits that despite the judgment and order passed by this Court dated 30.09.2024 in W.P.(MD)No.17522 of 2022, the Respondents have not complied with the directions of this Court and they have wilfully and deliberately flouting the orders passed by this Court. 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.*

4. *Upon perusing the judgment and order passed by this Court dated 30.09.2024 in W.P. (MD)No.17522 of 2022 as well as the affidavit filed in support of the contempt petition, which states that the respondents have not complied with the orders of this Court, this Court is of the view that the respondents appear to have wilfully and deliberately disobeyed the order of this Court. Consequently, this Court deems it necessary to initiate proceedings against the respondents for*



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their alleged non-compliance with the said orders.

5. *Mr.V.R.Shanmuganathan, learned Standing Counsel, for the 1st Respondent and Mr.F.Deepak, learned Special Government Pleader for the 2nd Respondent, request time to ensure compliance with the Court's judgments dated 30.09.2024 in W.P.(MD)No.17522 of 2022. They also assure this Court that whatever order is passed by this Court will be fully complied with and requests four weeks' time to ensure compliance with the said order.*

6. *In view of the assurance given by Mr.V.R.Shanmuganathan, learned Standing Counsel, for the 1st Respondent and Mr.F.Deepak, learned Special Government Pleader for the 2nd Respondent, this Court grants the Respondents a final opportunity to comply with the judgment and order of this Court dated 30.09.2024 in W.P. (MD)No.17522 of 2022, without fail, within four weeks from today. The Respondents are directed to communicate the decision taken by them to the Petitioner and to file an affidavit of compliance in this regard within a period of four weeks from today. 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 07.04.2025 "For Orders".*

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



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3. *Today, when the matter is being taken up for arguments, in compliance with the order passed by this Court dated 03.03.2025, one affidavit has been filed by the 1st Respondent and one counter affidavit has been filed by the 2nd Respondent.*

4. *Upon perusing the affidavits filed by the Respondents 1 and 2, this Court is not satisfied with the stand taken by the Respondents, as it appears that the Respondents are merely passing the time and diluting the orders passed by this Court. Despite the clear directions given by this Court vide order dated 03.03.2025 in the present contempt petition and the judgment and order passed by the Writ Court dated 30.09.2024 in W.P.(MD)No.17522 of 2022, this Court remains unsatisfied with the explanation and affidavits filed by the Respondents. Thus, it appears that the Respondents are deliberately and willfully floating the order passed by this Court, dated 03.03.2025 in the present contempt petition as well as the judgment and order passed by the Writ Court dated 30.09.2024 in W.P.(MD)No.17522 of 2022.*

5. *Mr.F.Deepak, the learned Special Government*



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Pleader, requests this Court to grant one more opportunity to comply with the orders passed by this Court dated 03.03.2025 in the present contempt petition as well as the judgment and order passed by the Writ Court dated 30.09.2024 in W.P.(MD)No.17522 of 2022.

6. On the assurance given by Mr.F.Deepak, the learned Special Government Pleader, this court grants a last opportunity to the Respondents to comply with the order dated 03.03.2025 in the present contempt petition as well as the judgment and order passed by the Writ Court dated 30.09.2024 in W.P.(MD)No.17522 of 2022, without fail and 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 09.04.2025 "For Orders".

8. Let a copy of this order be given to Mr.V.R.Shanmuganathan, learned Standing Counsel for the 1st Respondent and Mr.F.Deepak, learned Special Government Pleader for the 2nd Respondent, for its necessary compliance and information to the Respondents.

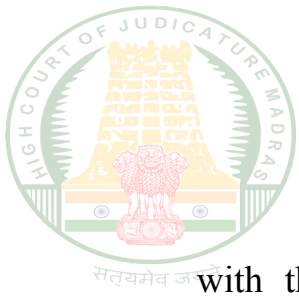


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2. Today, when the matter is being taken up, Mr.F.Deepak, learned Special Government Pleader for the 2nd Respondent, produced an order dated 08.04.2025 along with the compliance affidavit and submits that the Respondents have fully complied with the order of this Court dated 07.04.2025 passed in the present Contempt Petition as well as the Writ Court order dated 30.09.2024 in W.P.(MD)No.17522 of 2022. A copy of the said order has been taken on record and furnished to the learned counsel for the Petitioner. Therefore, he prays that the Respondents be discharged from the contempt proceedings.

3. Mr.V.R.Shanmuganathan, learned Standing Counsel for the 1st Respondent concurred with the submissions made by Mr.F.Deepak, learned Special Government Pleader for the 2nd Respondent.

6. Mr.S.Sivaprakash, learned counsel for the Petitioner, submits that he has received a copy of the order dated 08.04.2025 along with the compliance affidavit and submits that the Respondents have fully complied



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with the order of this Court dated 07.04.2025 passed in the present Contempt Petition as well as the Writ Court order dated 30.09.2024 in W.P.(MD)No.17522 of 2022. The learned counsel states that he has no objection to the Respondents being discharged from the contempt proceedings.

7. Considering the submissions made by the learned counsel for the Petitioner and the learned Standing Counsel for the 1st Respondent and the learned Special Government Pleader for the 2nd Respondent, and upon perusal of the order dated 08.04.2025 as well as paragraph nos.6 to 9 of the compliance affidavit, this Court is satisfied that the Respondents have fully complied with the order of this Court dated 07.04.2025 passed in the present Contempt Petition as well as the judgment and order of the Writ Court dated 30.09.2024 passed in W.P.(MD)No.17522 of 2022. In view of the same, this Court deems it appropriate that no useful purpose would be served by keeping the contempt proceedings pending. Therefore, the Respondents are discharged from the contempt proceedings.



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8. In view of the above, the Contempt Petition is disposed of. The file shall be consigned to record. There shall be no order as to costs.

09.04.2025

Nsr

To:

1. The Chairman,
Teachers Recruitment Board,
4th Floor, EVK Sampath Maaligai,
DPI Complex, College Road,
Chennai.
2. The Director,
The Department of Technical Education,
53, Sardar Patel Road,
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SHAMIM AHMED, J.

Nsr

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