



Cont.P.(MD) No.468 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.04.2025

CORAM:

THE HONOURABLE Mr.JUSTICE BATTU DEVANAND

Cont.P.(MD) No.468 of 2025

in

W.P.(MD) No.10732 of 2024

Marudhairaj

.. Petitioner

Vs.

1.Sankaranarayanan

District Educational Officer,
Office of the District Education Officer,
Tiruchirappalli,
Old Collector's Office,
Tiruchirappalli 620 001.

2.S.Jesudass,

Manager and Correspondent,
Annai Indira Gandhi Memorial Higher Secondary School,
Muthukula,
N.Kutttapattu (PO),
Ramji Nagar,
Tiruchirappalli 620 009.

.. Respondents

Prayer: Petition filed under Section 11 of the Contempt of Courts Act, to hold the contemnors in contempt for willful disobedience of the order of this Court in W.P.(MD) No.10732 of 2024 dated 30.04.2024.



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For Petitioner : Mr.S.Venkatesh
For R1 : Mr.T.Amjad Khan
For R2 : Mr.Jameel Arasu

ORDER

This contempt case is filed complaining the wilful disobedience of the order dated 30.04.2024 in W.P.(MD) No.10732 of 2024.

2.While disposing of the said writ petition, this Court directed the third respondent therein to mandate the fourth respondent to forward the proposal within a period of two weeks from the date of receipt of a copy of that order and then, the third respondent shall pass appropriate orders allowing the petitioner to retire from service within a period of four weeks therefrom.

3.The learned counsel for the first respondent submits that the order of the Court is served on them on 06.06.2024 and immediately, they sought proposal from the second respondent. But, it is not submitted



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4. When this Court asked, the learned counsel for the second respondent submits that the Writ Appeal filed by the School Management in W.A.(MD) No.1162 of 2024 against the single Judge order was dismissed by its judgment dated 16.07.2024.

5. The learned counsel for the first respondent further submits that even after the dismissal of the writ appeal, the proposal was not forwarded by the School to the District Educational Officer. Only after issuing statutory notice to the respondents, the District Educational Officer, the first respondent herein, passed orders for direct payment on 20.03.2025 and thereafter, received the proposal from the School on 21.03.2025 and the same was forwarded to the Accountant General on



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22.03.2025 and the petitioner is allowed to retire from service as directed by this Court.

6.The learned counsel for the petitioner also accepted that the petitioner is allowed to retire from service.

7.On careful perusal of the facts of the case, it appears that the second respondent is responsible for the delay in implementing the order of the Court. Though the first respondent is asking him to send the proposal from 06.06.2024 onwards till 20.03.2025, he did not send the proposal to the first respondent. It appears that even on 20.03.2025 also, he sent the proposal due to the reason that already the first respondent passed an order for direct payment.

8.Considering all these aspects, in the considered opinion of this Court, the second respondent has committed wilful disobedience of the order passed by this Court. Accordingly, he is liable for punishment under the provisions of Contempt of Court Act.



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9. When this Court proposed to impose punishment against the second respondent, the learned counsel for the second respondent requested to consider the health condition of the second respondent and requested to impose cost instead of imposing punishment.

10. In view of the above factual position, as there is no delay on the part of the first respondent in complying with the order of this Court, this Contempt Case is closed against the first respondent.

11. Considering the request of the learned counsel for the second respondent, this Contempt Case is closed against the second respondent on condition of payment of Rs.10,000/- (Rupees Ten Thousand only) to the Women Advocates Association, Madurai Bench of Madras High Court, Madurai, within one week from today.



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12.The second respondent shall file a memo of payment of cost before the Registrar (Judicial), Madurai Bench of Madras High Court within one week.

07.04.2025

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

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To

1.District Educational Officer,
Office of the District Education Officer,
Tiruchirappalli,
Old Collector's Office,
Tiruchirappalli 620 001.

2.Manager and Correspondent,
Annai Indira Gandhi Memorial Higher Secondary School,
Muthukula,
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BATTU DEVANAND, J.

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