



CONT.P(MD)No.895 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.07.2025

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THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

CONT.P(MD) No.895 of 2023

in

W.P.(MD) No.10063 of 2012

Kimari Girija
W/o.Late.Balakrishnan Nair,
Headmistress (Retired),
Ussas
Azhagiyakonam,
Vattavilai,
Thiruvananthapuram,
Kerala State 695 132.

... Petitioner

vs.

1.Nandakumar,
Director of School Education,
(Higher Secondary School),
DPI Campus, College Road,
Chennai 600 006.

2.Pugalendhi,
Chief Educational Officer,
Kanyakumari District,
Nagercoil.

3.Ravichandran
District Educational Officer,
Kuzhithurai Educational District,
Marthandam,
Kanyakumari District.

... Respondents



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PRAYER: Contempt Petition filed under Section 11 of the Contempt of Court to punish the respondents herein for their wilful disobedience of the order dated 25.10.2021 passed by this Court in W.P.(MD) No.10063 of 2012.

For Petitioner :Ms.Meenakshi for
Mrs.J.Anandhavalli

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

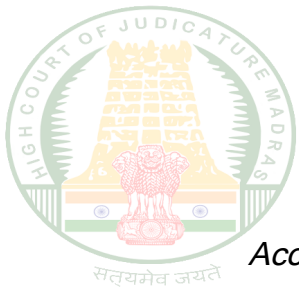
ORDER

This Contempt Petition has been filed with the prayer that the respondents/contemnors have not complied with the judgment and order passed by the Hon'ble Writ Court in W.P.(MD) No.10063 of 2012, dated 25.10.2021.

2.Heard Ms.Meenakshi, learned counsel representing Mrs.J.Anandhavalli, 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.10063 of 2012, vide judgment and order dated 25.10.2021, had passed the following order:-

“ 19.Hence, in exercise of the power under Article 226 of Constitution of India, this Court is inclined to allow all the Writ Petitions.



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Accordingly, these Writ Petitions are allowed in the following lines:

19.1. The order impugned in W.P.(MD)No.10063 of 2012 is quashed and the respondents are directed to approve the promotion of petitioner as Higher Secondary Headmistress in Sree Devi Girls Higher Secondary School, Kollancode, with effect from 01.06.2004 and to count the service of the petitioner as in-charge of the Headmistress of the School from 01.06.2004 to 30.06.2010 and confer her all the monetary benefits, which are due for the period from 01.06.2004 to 30.06.2010, which shall also enable her to get the retirement benefits refixed accordingly. The respondents shall disburse the monetary benefits.

19.2. The order impugned in W.P.(MD)No.5553 of 2016, insofar it relates to the petitioner is quashed. The respondents 3 to 5 are directed to approve the appointment of the petitioner as P.G.Assistant (English) in the fifth respondent School with effect from 01.06.2004 with all attendant benefits including salary and allowances from the date of her appointment. The respondents shall disburse the salary and other benefits accordingly.

19.3. In view of the passed order in W.P.(MD)No.5553 of 2016 and the reasons stated above, the order impugned in W.P.(MD)No. 2228 of 2017, dated 16.09.2016 is quashed. However, no further direction is necessary in view of the direction already issued by this Court in W.P.(MD)No.5556 of 2016.

19.4. The entire exercise shall be done by the respondents within a period of twelve weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.”



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4.Today, when the matter is taken up, Mr.D.Sadiq Raja, learned Additional Government Pleader for the respondents submits that challenging the judgment and order passed in W.P.(MD) No.10063 of 2012, dated 25.10.2021, the respondents have preferred an appeal bearing W.A.(MD) No. 1930 of 2023, before this Court, which was allowed by the Hon'ble Division Bench of this Court, vide judgment and order, dated 22.07.2025 and the judgment and order of the learned single Judge in W.P.(MD) No.10063 of 2012, dated 25.10.2021 was set aside. Thus, he submits that the respondents may be discharged from the present contempt proceedings and the present Contempt Petition may also be dismissed, accordingly, as there is no any further justification to entertain the present Contempt Petition and the present Contempt Petition has no cause of action. It was further submitted that as the appellate Court passed the judgment and order in W.A.(MD) No.1930 of 2023 only on yesterday ie., 22.07.2025, the copy of the same was not yet uploaded in the Official web-site of this Court.

5.Ms.Meenakshi, learned counsel representing Mrs.J.Anandhavalli, learned counsel for the petitioner also concedes the submission of Mr.D.Sadiq Raja, learned Additional Government Pleader for the respondents. Thus, she submits that she has no objection if the respondents are discharged from the present contempt proceedings and the present Contempt Petition may also be dismissed, accordingly, as the judgment and



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order of the learned single judge of this Court in W.P.(MD) No.10063 of 2012, dated 25.10.2021 was set aside by the appellate Court, vide judgment and order, dated 22.07.2025 in W.A.(MD) No.1930 of 2023 and the present Contempt Petition also has no cause of action.

6.Accordingly, in view of the submissions made by the learned counsel for the parties and also considering the fact that the judgment and order of the learned single judge of this Court in W.P.(MD) No.10063 of 2012, dated 25.10.2021 was set aside by the appellate Court, vide judgment and order, dated 22.07.2025 in W.A.(MD) No.1930 of 2023, this Court is of the view that no useful purpose will be served in continuing with the present contempt proceedings against the respondents, as at present, no contempt is made out against the respondents and the present Contempt Petition has no cause of action and is liable to be dismissed.

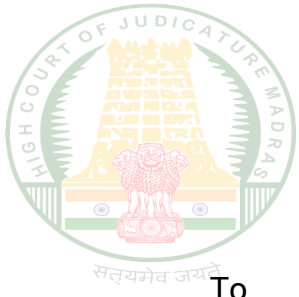
7.Accordingly, this Contempt Petition is dismissed and the respondents are discharged from the present contempt proceedings. The file is consigned to record. No costs.

Index :Yes / No
Internet :Yes / No

23.07.2025

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To
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1. Director of School Education,
(Higher Secondary School),
DPI Campus, College Road,
Chennai 600 006.

2. Chief Educational Officer,
Kanyakumari District,
Nagercoil.

3. District Educational Officer,
Kuzhithurai Educational District,
Marthandam,
Kanyakumari District.



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SHAMIM AHMED, J.

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