



Contempt Petition (MD)No.613 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 07.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE SHAMIM AHMED

Contempt Petition (MD)No.613 of 2025

In

W.P.(MD)No.4232 of 2019

V.Jayalakshmi,
W/o.Thiruvankadam,
2, Nadupattarai Street,
Thirunageswaram,
Kumbakonam Taluk,
Thanjavur District.

Petitioner/Petitioner

Vs

Mr.Ayyakannu,
The District Educational Officer,
Office of the District Educational Office,
Kamatchi Josiyar Street,
Kumbakonam,
Thanjavur District.

Contemnor/2nd Respondent

PRAYER: Contempt Petition is filed under Section 11 of Contempt of Courts Act, 1971, to punish the Contemnor/2nd Respondent for willfully disobeying and not complying with the order passed by this Court in W.P(MD)No.4232 of 2019, dated 21.10.2024.

For Petitioner : Mr.B.Anandan

For Respondent : Mr.F.Deepak
Special Government Pleader



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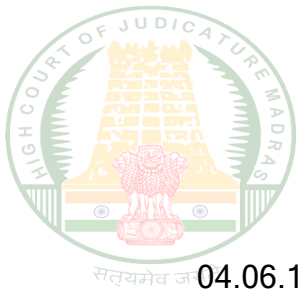
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ORDER

This is a petition seeking initiation of contempt proceedings against the Respondent for violation of the order, dated 21.10.2024 passed by this Court in W.P.(MD)No.4232 of 2019.

2. Heard Mr.B.Anandan, learned counsel for the Petitioner and Mr.F.Deepak, learned Special Government Pleader for the Respondent.

3. Mr.B.Anandan, learned counsel for the petitioner, submits that the petitioner worked as Headmistress for 16 years. Unfortunately, after 16 years, she was deployed as a Secondary Grade Teacher for 5 years. Hence, the petitioner should be treated, with regard to service benefits, retirement benefits, monthly pension, and all other monetary benefits, based on her earlier scale of pay. However, the authorities incorrectly treated the petitioner based on the Secondary Grade Teacher's pay scale. The Petitioner preferred a representation dated 24.01.2019, requesting the Respondents to treat her as an Elementary School Headmaster for all purposes, including terminal benefits, with effect from 01.07.1997, taking into fact that she was posted as a Secondary Grade Teacher from the post of Elementary School Headmaster due to administrative reasons. She also sought arrears of salary from 22.07.1991 to



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04.06.1996. Since no action was taken by the Respondents to consider the representation, the Petitioner filed a Writ Petition in W.P.(MD)No.4232 of 2019. The learned Single Judge of this Court disposed of the aforementioned Writ Petition vide order dated 21.10.2024. For better appreciation, the relevant portion of the order is reproduced below:

“4. For the foregoing reasons, this Court directs the petitioner to submit a fresh representation to the respondents seeking to treat her as Elementary School Headmaster for all purposes, including the terminal benefit purpose, with effect from 01.07.1997 by taking into consideration of the fact that she was posted as Secondary Grade Teacher from the post of Elementary School Headmaster on account of administrative reasons and consequently to direct the respondents to provide arrears of salary from 22.07.1991 to 04.06.1996, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the said representation, the second respondent shall pass final orders on merits and in accordance with law on the said representation, within a period of twelve weeks thereafter.

5. With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.”

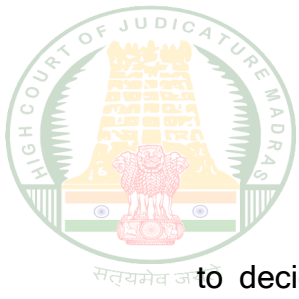


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4. The learned counsel for the Petitioner submits that, in compliance with this Court's order, the Petitioner has submitted a fresh representation dated 12.11.2024, accompanied by a copy of the judgment and order passed by this Court on 21.10.2024 in W.P.(MD)No.4232 of 2019, to the Respondent. A copy of the acknowledgement receipt is also annexed to the paper book of the petition.

5. The learned counsel for the Petitioner further submits that despite the judgment and order passed by this Court dated 21.10.2024 in W.P.(MD)No. 4232 of 2019, the Respondent has 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 Respondent has committed fraud upon this Court and are in contempt. He also submits that the Respondent 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.

6. Today, when the matter came up for admission, Mr.F.Deepak, the learned Special Government Pleader for the Respondent, produced an order dated 10.01.2025, passed by the Respondent. He submits that the direction issued by this Court vide order dated 21.10.2024 in W.P.(MD)No.4232 of 2019,



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to decide the Petitioner's representation, has been complied with through a reasoned and speaking order. He states that if the Petitioner is aggrieved, she may challenge the order before the competent Court of law. 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 Respondent be discharged from the contempt proceedings.

7. The learned counsel for the Petitioner submits that the Petitioner has received a copy of the order dated 10.01.2025, wherein the Respondent has decided the Petitioner's representation by passing a detailed order, albeit rejecting her claim. He further submits that if the Petitioner is aggrieved by the said order, she may challenge it before the competent Court. The learned counsel states that he has no objection to the Respondent being discharged from the contempt proceedings.

8. Considering the submissions made by the learned counsel for the Petitioner and the learned Special Government Pleader for the Respondent, and upon perusal of the detailed order passed by the Respondent dated 10.01.2025, this Court is satisfied that the Respondent has fully complied with the judgment and order of this Court dated 21.10.2024 passed in W.P.(MD)No.4232 of 2019. In view of the same, this Court deems it appropriate



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that no useful purpose would be served by keeping the contempt proceedings pending. Therefore, the Respondent is discharged from the contempt proceedings. However, it is made clear that if the Petitioner is aggrieved by the order dated 10.01.2025 passed by the Respondent, she is at liberty to challenge the same before the competent Court.

9. 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.

07.03.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr

To:

The District Educational Officer,
Office of the District Educational Office,
Kamatchi Josiyar Street,
Kumbakonam,
Thanjavur District.



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SHAMIM AHMED, J.

Nsr

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