



CONT.P(MD)No.765 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 20.08.2025

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THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

CONT.P(MD) No.765 of 2025

in

W.P.(MD) No.7581 of 2020

The Secretary,
Fatima College (Autonomous),
Mary Land, Madurai-625 018.

... Petitioner

vs.

1.C.Samayamoorthy,
The Secretary,
Department of Higher Education,
Fort St. George, Chennai-600 009.

2.E.Sundaravalli,
The Commissioner of Collegiate Education,
College Road, Chennai-600 006.

Earlier,
The Director of Collegiate Education,
College Road, Chennai – 600 006.

3.A.Gunasekaran,
The Joint Director of Collegiate Education,
Palam Station Road, Madurai -625 020.

... Respondents



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PRAYER: Contempt Petition filed under Section 11 of the Contempt of Court to initiate contempt proceedings under Section 11 of the Contempt of Courts Act, 1971, against the Contemnors/respondents herein for their willful disobedience to the order passed by this Court in W.P.(MD).No. 7581 of 2020, dated 20.07.2022 and punish them accordingly.

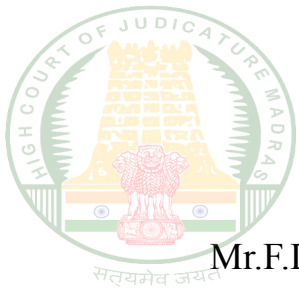
For Petitioner :Ms.A.Amala

For Respondents :Mr.R.Baskaran,
Additional Advocate General,
assisted by,
Mr.F.Deepak,
Special Government Pleader

ORDER

This Contempt Petition has been filed to punish the contemnors/respondents for wilfully disobeying and not complying with the order of this Court passed in W.P(MD) No.7581 of 2020, dated 20.07.2022.

2.Heard Ms.A.Amala, learned counsel for the petitioner and Mr.R.Baskaran, learned Additional Advocate General assisted by



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Mr.F.Deepak, learned Special Government Pleader for the respondents, who accepts notice on behalf of the Respondents. Therefore, no further notice is required to be issued to the Respondents.

3.The Contempt Petition has been filed for non compliance of the judgment and order passed by the Writ Court in W.P.(MD)No.7581 of 2020 dated 20.07.2022 and the learned Single Judge of the Writ Court allowed the said Writ Petition in the following terms:

9. In the light of the above observations, the impugned order, dated 19.12.2019, on the file of the third respondent is quashed. Consequently, there shall be a direction to the third respondent herein to forthwith approve the appointment of the seven teaching staff, namely, Dr.J.Susai Jesintha Mercy, Assistant Professor in Tamil with effect from 14.06.2017; Mrs.D.Annie Maria Jancy, Assistant Professor in Tamil with effect from 14.06.2017; Mrs.K.Saritha, Assistant Professor in Sociology with Computer Application with effect from 14.06.2017; Mrs.S.Rajalakshmi, Assistant Professor in History with effect from 14.06.2017; Dr.V.Suganya, Assistant Professor in Commerce with effect from 18.12.2017; Dr.G.Jenita Rani,



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Assistant Professor in Physics with effect from 07.03.2018 and Dr.K.Selvalakshmi, Assistant Professor in Economics with effect from 18.06.2018 and disburse the grant-in-aid towards their salaries and allowances, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

10. This Writ Petition stands allowed accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

4. When the matter is taken up for hearing on 22.04.2025, this Court passed the following order:

Heard Ms.A.Amala, learned counsel for the Petitioner and Mr.R.Baskaran, learned Additional Advocate General, assisted by, Mr.F.Deepak, learned Special Government Pleader for the Respondents, who accepts notice on behalf of the Respondents.

2. Mr. R. Baskaran, learned Additional Advocate General, assisted by Mr. F. Deepak, learned Special Government Pleader for the Respondents, submits that he will instruct the Respondents to issue the Government Order in



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respect of the 7 teaching staff (as mentioned in the present contempt petition) appointed in the Petitioner's college and also assures this Court that the payment exercise will be completed on or before the next date fixed by this Court.

3. Dr.A.Gunasekaran, who is serving as the Joint Director of Collegiate Education, Palam Station Road, Madurai, is present before this Court and assures this Court that he will take necessary steps for issuing the Government Order in respect of the 7 teaching staff in the present contempt petition, similar to the incumbents in Contempt Petition (MD) Nos. 756 of 2025 and 782 of 2025, and will submit a compliance affidavit on or before the next date fixed by this Court.

4. Accordingly, in view of the submissions made by the learned Additional Advocate General and Dr.A.Gunasekaran, Joint Director of Collegiate Education, Madurai, this Court, adopting a sympathetic view with the Respondents, postpones the case to 29.04.2025. On that date, the Respondents are directed to file a compliance affidavit along with the respective Government Order (preferably in English), in respect of the 7 teaching staff in the present contempt petition.



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5. The Joint Director of Collegiate Education, Madurai Region, Madurai, is also directed to be present on the next date fixed to assist the Court.

6. Put up this case on 29.04.2025 “For Orders” before this Court.

7. Let a copy of this order be given to Mr.R.Baskaran, learned Additional Advocate General, for its necessary compliance and information to the Respondents.

5.The learned counsel for the petitioner submits that despite the judgment and order passed by this Court in W.P.(MD)No.7581 of 2020, dated 20.07.2022, the respondents have not complied with the directions of this Court. Thus, being no other alternative, the present Contempt Petition has been filed with the prayer that the respondents/contemnors have wilfully and deliberately flouted the order passed by this Court and are in contempt of the judgment and order of this Court dated 20.07.2022. Thus, they should be summoned and punished by exercising the powers under Sections 11 and 12 of the Contempt of Courts Act, 1971.



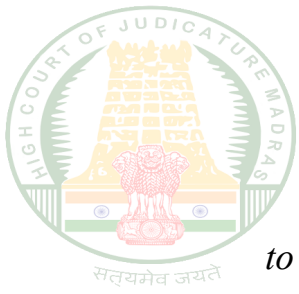
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6.Today, when the matter is taken up, Mr.R.Baskaran, learned Additional Advocate General assisted by Mr.F.Deepak, learned Special Government Pleader for the respondents has filed an affidavit of compliance of the respondents, dated 17.07.2025, annexing a copy of the order passed by the respondents 2 and 3, dated 07.07.2025 and 09.07.2025, in which it has been stated that the direction issued by the Writ Court in W.P.(MD) No.7581 of 2020, dated 20.07.2022 has been fully complied with and sanctioned the petitioner's arrears of salary for the period from their respective dates of appointment to 31.08.2023 to the tune of Rs.3,93,34,492/- no amount is due to the petitioner.

7.In paragraph No.6 of the compliance affidavit, the aforesaid fact has been clearly stated, which is reproduced hereunder:-

“ 6.I respectfully submit that on the other hand alleging disobedience of order dated 20.07.2022 passed by this Court respondent/petitioner herein preferred contempt petition in Cont.P.(MD).No.765 of 2025 and the Hon'ble Court on 10.06.2025 granted a further period of three weeks to make compliance of the order passed by this Court dated 29.04.2025 and the orders passed by the writ Court dated 20.07.2022. I respectfully submit that department have taken necessary steps



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to comply the order of Hon'ble Court and accordingly the order of Hon'ble Court is duly complied with vide G.O.(2D).No.11, Higher Education (E2) Department, dated 03.07.2025 and sanctioned the petitioner's arrears of salary for the period from their respective dates of appointment to 31.08.2023 to the tune of Rs.3,93,34,492/- ”

8.A copy of the compliance affidavit filed by the respondents, dated 17.07.2025 has been produced before this Court, which is now taken on record and a copy of the same has also been given to the learned counsel for the petitioner.

9.Thus, the learned Additional Advocate General for the respondents submits that the respondents may be discharged from the present contempt proceedings, as the judgment and order of the Hon'ble Writ Court in W.P.(MD).No.7581 of 2020 dated 20.07.2022, has been fully complied with by the respondents 2 and 3, vide order dated 07.07.2025 and 09.07.2025 and the present Contempt Petition may also be disposed of, accordingly.



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10.Ms.A.Amala, learned counsel for the petitioner submits that she has received a copy of the compliance affidavit filed by the respondents, dated 17.07.2025, annexing a copy of the Order passed by the respondents 2 and 3 dated 07.07.2025 and 09.07.2025 and has no objection, if the respondents are discharged from the contempt proceedings, as the judgment and order of the Writ Court dated 20.07.2022 has been complied with by the respondents, vide order dated 07.07.2025 and 09.07.2025. He further submits that the entire arrears of salary due to the petitioner have already been paid to the petitioner and as of now, no amount is due to the petitioner.

11.Accordingly, in view of the submissions made by the learned counsels for the parties and after perusal of the judgment and order made in W.P.(MD).No. 7581 of 2020 dated 20.07.2022 and the compliance affidavit filed by the respondents, dated 17.07.2025, annexing a copy of the order passed by the respondents 2 and 3, dated 07.07.2025 and 09.07.2025 and also considering the fact that the entire arrears of salary of the petitioner have already been paid to the petitioner, this Court is satisfied that the direction issued by the Writ Court in W.P.(MD) No.7581



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of 2020, dated 20.07.2022 has been fully complied with by the respondents and thus, no useful purpose would be served in continuing the present contempt proceedings against the respondents. Accordingly, the respondents are discharged from the present contempt proceedings.

12. In view of the above, the Contempt Petition is finally **disposed** of. No costs. The file is consigned to record.

Index :Yes / No
Internet :Yes / No

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To

- 1.C.Samayamoorthy,
The Secretary,
Department of Higher Education,
Fort St. George, Chennai-600 009.
- 2.E.Sundaravalli,
The Commissioner of Collegiate Education,
College Road, Chennai-600 006.
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SHAMIM AHMED, J.

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