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CONT.P(MD)No.1578 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.07.2025

CORAM

THE HONOURABLE MR.JUSTICE SHAMIM AHMED

CONT.P(MD)No.1578 of 2025

Surendiran

... Petitioner

VS.

Dr.M.Palanisamy,
Member Secretary,
Teacher Recruitment Board,
College Road, Chennai - 600 006.

... Respondent

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Courts Act to initiate contempt proceedings against the contemnor/1st respondent and punish him for the wilful disobedience of the order of this Court passed in W.P. (MD)No.17656 of 2018, dated 09.08.2018.

For Petitioner :Ms.Keerthana
for Mr.R.Murugappan
For Respondent :Mr.T.Amjad Khan

ORDER

This Court by order, dated 26.06.2025, passed the following order:

"Heard Ms.Keerthana, learned counsel for Mr.R.Murugappan, appearing for the Petitioner and Mr.T.Amjadkhan, learned Standing Counsel accepts notice on behalf of the Respondent. Therefore, no further notice is required to be issued to the Respondent.

2. This Contempt Petition has been filed for non compliance of the judgment and order dated 09.08.2018 passed in W.P.(MD)No.17656 of 2018 and the learned Single Judge of this Court disposed of the said Writ Petitions in the following terms:

"6. In view of the submission, the first respondent is directed to



WEB COPY



CONT.P(MD)No.1578 of 2025

consider the representation of the petitioner, dated 30.07.2018 and to pass appropriate orders on the same on merits and in accordance with law and the relevant rules, as expeditiously as possible. If final decision is taken by the authorities concerned, the same shall be communicated to the Petitioner forthwith.

7. With the above direction, the Writ Petition is disposed of. No costs. "

3. Ms.Keerthana, learned counsel for Mr.R.Murugappan, appearing for the Petitioner submits that despite the judgment and order passed by this Court dated 09.08.2018 in W.P.(MD)No.17656 of 2018, the Respondents have not complied with the directions of the Writ Court and they have wilfully and deliberately flouting the orders passed by this Court. She also submits that more than 7 years have passed, the Respondents have not taken any decision on the Petitioner's representation dated 30.07.2018. Although the Petitioner met the Respondents several times, only assurances were given, and no final order was passed. Thus, the learned counsel submits that the Respondent is in contempt and he 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 09.08.2018 in W.P.(MD)No.17656 of 2018 as well as the affidavit filed in support of the contempt petition, which states that the Respondent has not complied with the orders of the Writ Court, this Court is of the view that the Respondent appears to have wilfully and deliberately disobeyed the order of the Writ Court. Consequently, this Court deems it necessary to initiate proceedings against the Respondent for their alleged non-compliance with the said orders.

5. At this juncture, Mr.T.Amjadkhan the learned Standing Counsel for the Respondents, request time to ensure compliance with the judgment and order of the Writ Court dated 09.08.2018 in W.P.(MD)No. 17656 of 2018. He also assure this Court that whatever order is passed by this Court will be fully complied with and requests one week time to ensure compliance with the said order.

6. The learned counsel for the Petitioner submits that she has no objection to the request made by the learned Standing Counsel for the Respondent.

7. In view of the assurance given by Mr.T.Amjadkhan, learned Standing Counsel for the Respondents, this Court grants the Respondents a final opportunity to comply with the judgment and order of the Writ Court dated 09.08.2018 in W.P.(MD)No.17656 of 2018, without fail, within a period of one week from today. The Respondent is directed to communicate the decision taken by him to the Petitioner and to file an affidavit of compliance in this regard within a period of one week from today. Failure to comply with this order within the stipulated timeframe will require the Respondents to appear in person before this Court on the next date fixed to justify why the Writ Court's order has not been complied



WEB COPY



CONT.P(MD)No.1578 of 2025

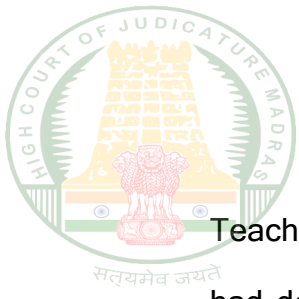
with.

8. Put up this case on 15.07.2025 "For Orders" before this Court.

9. Let a copy of this order be given to Mr.T.Amjadkhan, learned Standing Counsel for its necessary compliance and information to the Respondent."

2.Today, when the matter is taken up, Mr.T.Amjad Khan, learned Standing Counsel for the respondent, in compliance of the order passed by this Court, dated 26.06.2025, produced a compliance affidavit along with an order, dated 03.07.2025 passed by the Controller of Examination, Teachers Recruitment Board. The order passed by the Controller of Examination, Teachers Recruitment Board, dated 03.07.2025 is taken on record. A copy of the order passed by the Controller of Examination, Teachers Recruitment Board, has also been given to the learned Counsel for the petitioner. Thus, the learned Standing Counsel submits that the judgment and order passed by this Court has been fully complied with by the respondent and this fact has been stated in paragraph No. 10 of the compliance affidavit and the claim of the petitioner has been rejected by way of reasoned and speaking order. He further submits that if the petitioner is aggrieved by the order, dated 03.07.2025, he may challenge the same before the competent Court of law. Thus, he submits that the respondent may be discharged from the present contempt proceedings and the present Contempt Petition may be disposed of.

3.Ms.Keerthana, learned Counsel for the petitioner submits that she also received the copy of the order passed by the Controller of Examination,



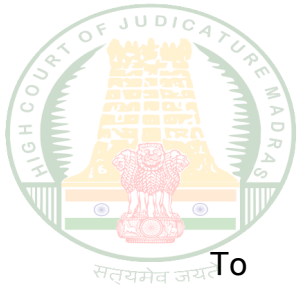
CONT.P(MD)No.1578 of 2025

Teachers Recruitment Board, dated 03.07.2025 and submits that the respondent had decided the representation of the petitioner and the claim of the petitioner was rejected. She further submits that the petitioner may be given liberty to challenge the order passed by the Controller of Examination, Teachers Recruitment Board, dated 03.07.2025 before the competent Court of law. Thus, she submits that she has no objection that the respondent may be discharged from the present contempt proceedings and the Contempt Petition may be disposed of.

4.After considering the arguments, as advanced by the learned Counsel for the parties and after perusal of the order passed by this Court in W.P.(MD)No. 17656 of 2018, dated 09.08.2018, and the order passed by the Controller of Examination, Teachers Recruitment Board, dated 03.07.2025, and also the compliance affidavit filed by the respondent, this Court is also satisfied that the respondent has made fully complied with the directions issued by this Court and no useful purpose will be served in continuing the present contempt proceedings any further. Accordingly, the respondent is discharged from the present contempt proceedings and the present Contempt Petition is disposed of. The file is consigned to record. No order as to costs.

Index :Yes / No
NCC :Yes / No
cmr

16.07.2025



CONT.P(MD)No.1578 of 2025

To

The Member Secretary,
Teacher Recruitment Board,
College Road, Chennai - 600 006.



WEB COPY



CONT.P(MD)No.1578 of 2025

SHAMIM AHMED, J.

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CONT.P(MD)No.1578 of 2025

16.07.2025