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CONT.P(MD)No.840 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.07.2025

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THE HONOURABLE MR.JUSTICE SHAMIM AHMED

CONT.P(MD)No.840 of 2024

1.Raja
2.V.Andal
3.T.R.R.Paranjothi Raman
4.P.Jayanthi
5.K.Murugeswari

... Petitioners

vs.

1.J.Kumaraguruban,
Principal Secretary,
Department of School Education,
Fort St.George, Chennai - 09.

2.G.Arivoli,
Directorate of School Education,
Directorate of School Education,
Chennai -06.

3.Dr.P.A.Naresh,
Joint Director of School Education (Personnel),
Directorate of School Education,
Chennai - 06.

4.Dr.M.Arthi,
Additional Project Director II (Samagra Shiksha),
Rashtriya Madhmik Shiksha Abiyan (RMSA),
DPI Compound, College Road,
Chennai - 06.

... Respondents

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Courts Act to initiate contempt proceedings against the contemnors/respondents and punish the contemnors/respondents for the willful disobedience of the order of this Court in W.P.(MD)No.23865 of 2018, dated 23.12.2021.

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For Petitioners :Mr.S.Loius
For Respondents :Mr.D.Sadiq Raja,
Additional Government Pleader

ORDER

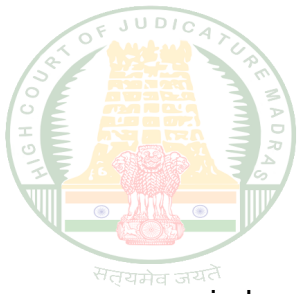
This is a petition seeking initiation of contempt proceedings against the respondents for violation of the order, dated 23.12.2021 passed by this Court in W.P.(MD)No.23865 of 2018.

2.Heard Mr.S.Louis, learned Counsel for the petitioners and Mr.D.Sadiq Raja, learned Additional Government Pleader for the respondents.

3.The Co-ordinate Bench of this Court, vide order, dated 23.12.2021 in W.P.(MD)No.23865 of 2018, had passed the following order:-

“18. In fine, a direction is issued to the State to frame Rules as envisaged in the above Government Order within a period of twelve weeks from today. The Rules must contain proper protection, and provisions for identification and absorption of those candidates who have the necessary credentials and have been appointed in government positions of Educator/Special Educator/Instructor for children with special needs, by whatever name or nomenclature called, even prior to the issuance of the aforesaid Government Order.

19. Simultaneous therewith, the petitioners' representation dated 22.09.2018 be considered, the petitioners heard and their appointments be regularized subject to verification of their educational qualifications and all other relevant considerations, within a period of twelve (12) weeks from today.”



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4.The learned Counsel for the petitioners submits that despite the judgment and order passed by this Court in W.P.(MD)No.23865 of 2018, dated 23.12.2021, the respondents have not complied with the directions of this Court and they have wilfully and deliberately flouting the orders passed by this Court, dated 23.12.2021. Thus, the learned Counsel submits that the respondents should be summoned and punished for committing contempt by exercising the powers under Sections 11 and 12 of the Contempt of Courts Act, 1971.

5.Today, when the matter is taken up, Mr.D.Sadiq Raja, learned Additional Government Pleader, who accepted notice on behalf of the respondents, in compliance of the order passed by this Court, dated 23.12.2021, produced a compliance affidavit annexing an order, dated 23.10.2024, passed by the State Project Director. The order passed by the State Project Director, dated 23.10.2024, is taken on record. A copy of the order passed by the State Project Director has also been given to the learned Counsel for the petitioner. Thus, the learned Additional Government Pleader submits that as the judgment and order passed by this Court has been fully complied with by the respondents, the respondents may be discharged from the present contempt proceedings and the present Contempt Petition may be disposed of.

3.Mr.S.Louis, learned Counsel for the petitioners submits that he has also received the copy of the order passed by the State Project Director, dated



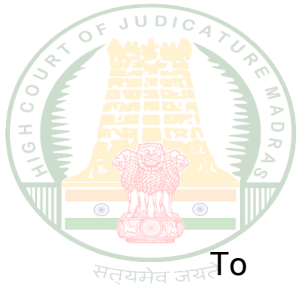
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23.10.2024 and submits that the respondents had decided the representation of the petitioners and the claim of the petitioners was rejected. He further submits that the petitioners may be given liberty to challenge the order passed by the State Project Director, dated 23.10.2024 before the competent Court of law. Thus, he submits that he has no objection that the respondents may be discharged from the present contempt proceedings and the Contempt Petition may be disposed of.

7.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. 23865 of 2018, dated 23.12.2021 and the order passed by the State Project Director, dated 23.10.2024, this Court is also satisfied that the respondents have 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 respondents are discharged from the present contempt proceedings and the present Contempt Petition is disposed of with liberty to the petitioners to challenge the order passed by the State Project Director, dated 23.10.2024, before the competent Court of law. The file is consigned to record. No order as to costs.

Index :Yes / No
NCC :Yes / No
cmr

22.07.2025



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To

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- 1.The Principal Secretary,
Department of School Education,
Fort St.George, Chennai - 09.
- 2.The Directorate of School Education,
Directorate of School Education,
Chennai -06.
- 3.The Joint Director of School Education (Personnel),
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- 4.The Additional Project Director II (Samagra Shiksha),
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SHAMIM AHMED, J.

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