



CONT.P(MD)No.1228 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.06.2025

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THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

CONT.P(MD) No.1228 of 2025

in

W.P.(MD) No.42 of 2018

G.Sumathi Thangapackiam
No.9/2008, West Street,
Karunkadal,
Tuticorin District 628 613.

... Petitioner

vs.

- 1.Muthuraj
District Elementary Educational Officer,
Now District Educational Officer,
Valliyur,
Tirunelveli.
- 2.Sebasthiyaye,
Additional Assistant Elementary Educational Officer,
Now Block Educational Officer,
Nanguneri,
Tirunelveli District.

... Respondents

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Court to punish the respondents/contemnors for wilful deliberate disobedience of the order passed by this Court in W.P.(MD) No.42 of 2018, dated 15.03.2019.

For Petitioner :Mr.V.Panneer Selvam

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



CONT.P(MD)No.1228 of 2025

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ORDER

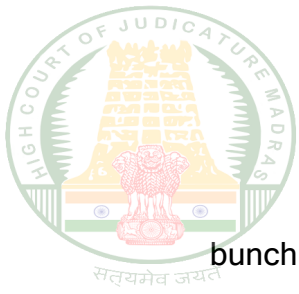
This Contempt Petition has been filed with the prayer that the respondents/contemnors have not complied with the judgment and order passed by this Court in W.P.(MD) No.42 of 2018, dated 15.03.2019.

2.Heard Mr.V.Panneer Selvam, learned counsel for the petitioner and Mr.D.Sadiq Raja, learned Additional Government Pleader accepts notice on behalf of the Respondents. Therefore, no further notice is required to be issued to 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.18789 of 2017, vide order dated 15.03.2019, had passed the following order:-

“8.However, considering the fact that the issue involved in these writ petitions had already been decided by this Court in number of cases, the Government authorities are directed to grant approval to the petitioners at the earliest. As and when the approval is granted and deployment order is passed considering the surplus strength, such deployment order is to be given forthwith by the Management with immediate effect.”

4.The learned counsel for the petitioner submits that challenging the judgment and order, dated 15.03.2019, the respondents have preferred



CONT.P(MD)No.1228 of 2025

bunch of writ appeals, in which the main writ appeal number is W.A.(MD) No. 1341 of 2019, before this Court, which was dismissed by the Hon'ble Division Bench of this Court, vide judgment and order, dated 07.08.2023, a copy of which is annexed in page No.30 of the paper book.

5.Thus, the learned counsel for the petitioner submits that in spite of the dismissal of the Writ Appeal, the respondents have not complied with the directions issued by this Court in W.P.(MD) No.42 of 2018, dated 15.03.2019. 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 15.03.2019. Thus, they should be summoned and punished by exercising the powers under Sections 11 and 12 of the Contempt of Courts Act, 1971.

6.Today, when the matter is taken up, Mr.D.Sadiq Raja, learned Additional Government Pleader for the respondents, has produced an affidavit of compliance, dated 25.06.2025, annexing a copy of the decision taken by the first respondent dated 19.06.2025, in which it has been stated that the judgment and order passed by this Court in W.P.(MD) No.42 of 2018, dated 15.03.2019 has been fully complied with. The compliance affidavit filed by the respondents is taken on record and a copy of the same has also been



CONT.P(MD)No.1228 of 2025

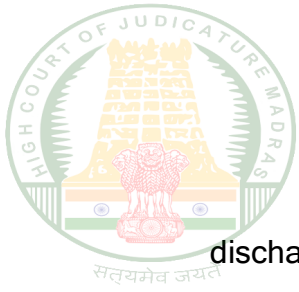
given to the learned counsel for the petitioner.

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7.The learned Additional Government Pleader further submits that the respondents have already granted approval to the appointment of the petitioner for the post of Secondary Grade Teacher with effect from 09.10.2015. He further assures this Court that all services and monetary benefits payable by the respondents will be paid in accordance with law in the account of the petitioner within six weeks from today. Thus, he submits that the respondents may be discharged from the present contempt proceedings, as the judgment and order of this Court dated 15.03.2019 has been fully complied with by the first respondent, vide order dated 19.06.2025.

8.Mr.V.Panneer Selvam, learned counsel for the petitioner, submits that he has received a copy of the compliance affidavit of the respondents, dated 25.06.2025 along with a copy of the decision taken by the first respondent dated 19.06.2025 and submits that the respondents have made full compliance of the judgment and order passed by this Court in W.P.(MD) No.42 of 2018, dated 15.03.2019.

9.He further submits that the petitioner's appointment for the post of Secondary Grade Teacher was approved by the respondents with effect from 09.10.2015. Thus, he submits that he has no objection, if the respondents are



CONT.P(MD)No.1228 of 2025

discharged from the present contempt proceedings at this stage, as the judgment and order of this Court dated 15.03.2019 has been fully complied with by the first respondent, vide order dated 19.06.2025 and the present Contempt Petition may also be disposed of. It was further submitted that a positive direction may be given to the respondents to grant all services and monetary benefits payable to the petitioner within the time frame fixed by this Court.

10.Accordingly, in view of the submissions made by the learned counsel for the parties, after perusal of the judgment and order passed in W.P.(MD) No.42 of 2018, dated 15.03.2019 and in W.A.(MD) No.964 of 2020, dated 07.08.2023 and after perusal of the order passed by the first respondent, dated 19.06.2025, this Court satisfied that the direction issued by this Court in W.P.(MD) No.42 of 2018, dated 15.03.2019 and in W.A.(MD) No.964 of 2020, dated 07.08.2023 has been fully complied with by the respondents and there is no justification in continuing the present contempt proceedings against the respondents.

11.Accordingly, the Contempt Petition is finally disposed of and the respondents are discharged from the present contempt proceedings at this stage. It is made clear that as per the assurance given by Mr.D.Sadiq Raja, learned Additional Government Pleader, the respondents shall credit all



CONT.P(MD)No.1228 of 2025

services and monetary benefits in the account of the petitioner in accordance with law within a period of six weeks from today without any further delay. The file is consigned to record. No costs.

Index :Yes / No
Internet :Yes / No
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25.06.2025

To

- 1.District Elementary Educational Officer,
Now District Educational Officer,
Valliyur,
Tirunelveli.
- 2.Additional Assistant Elementary Educational Officer,
Now Block Educational Officer,
Nanguneri,
Tirunelveli District.



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CONT.P(MD)No.1228 of 2025

SHAMIM AHMED, J.

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CONT.P(MD) No.1228 of 2025

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