



CONT.P(MD)No.961 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 18.07.2025

CORAM

THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

CONT.P(MD) No.961 of 2023

in

W.P.(MD) No.18114 of 2018

A.Kingsly Belbin

... Petitioner

vs.

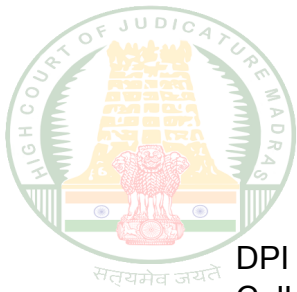
1.Kakarla Usha IAS,
Secretary to the State of Tamil Nadu,
Department of School Educationa,
St.George Fort,
Chennai.

2.K.Nanthakumar IAS,
Director of School Education,
DPI Compound,
College Road,
Chennai.

3.V.Thirupathi,
Chief Educational Officer,
Tirunelveli,
Tirunelvelij District.

4.Ramavathi,
District Educational Officer,
Tirunelveli,
Tirunelveli District.

5.G.Arivozhi,
Director of School Education,



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DPI Compound,
College Road,
Chennai.

6.Chinnarasu,
Chief Educational Officer,
Tirunelveli,
Tirunelveli District.

7.Balan,
District Educational officer,
Tirunelveli,
Tirunelveli District.

... Respondents

(R5 to R7 impleaded respondents vide Court order dated
16.08.2023 in Sub (A) (MD).No.209 of 2023 in Cont.P.(MD).No.961 of 2023)

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Court to punish the Contemnors/respondents herein for deliberate and wilful disobedience of the order of this Court dated 22.06.2021, in W.P.(MD).No. 18114 of 2018.

For Petitioner :Mr.A.Ajith Geethan

For Respondents :Mr.D.Sadiq Raja
Additional 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.18114 of 2018, dated 22.06.2021.



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2.Heard Mr.A.Ajith Geethan, learned counsel for the petitioner and Mr.D.Sadiq Raja, learned Additional Government Pleader for the respondents.

3.The Hon'ble Writ Court, vide judgment and order dated 22.06.2021, had disposed of the aforesaid writ petition with the following directions:-

“8.Further, the Division Bench of this Court in W.A(MD)Nos.22 and 23 of 2017, vide Judgment dated 20.02.2018, considered the very same issue namely, for conversion of post of vocational Instructor between the branch of Sewing and Music and dismissed the Writ Appeals filed by the Government against the order of the learned Single Judge, dated 11.11.2014, allowing the Writ Petitions in W.P(MD)Nos.1764 of 2010 etc., batch. The reasons given in the order and Judgment referred to above are squarely applicable to the facts of the present case. The respondents 1 to 4 ought to have considered the proposal sent by the fifth respondent in approving the appointment of the petitioner as vocational Instructor (Music) in the light of the orders of this Court. The issue of conversion is no longer res integra, as this Court in the earlier proceedings approved the conversion and directed the authorities to approve the appointment and pay all the monetary benefits.

9.In view of the orders and Judgments referred to above, the impugned order is liable to be set aside and the same is set aside. The fifth respondent is directed to re-submit the proposal to the respondents 1 to 4 within a period of two weeks from the date of receipt of a copy of this order. On receipt of such proposal, the respondents 1 to 4 are directed to approve the appointment of the petitioner taking into



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consideration the orders of this Court in the Writ Appeal and Writ Petitions and pay all monetary benefits to the petitioner within a period of six weeks from the date of receipt of a copy of this order.

10.With the above direction, this Writ Petition is allowed. No costs..”

4.The learned counsel for the petitioner submits that despite the judgment and order passed by this Court in W.P.(MD)No.18114 of 2018, dated 22.06.2021, 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 is in contempt of the judgment and order of this Court dated 22.06.2021. Thus, they should be summoned and punished 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 for the respondents has filed an affidavit of compliance of the respondents, dated 18.07.2025, annexing a copy of the order passed by the fourth respondent, dated 26.01.2025, in which it has been stated that the direction issued by the Writ Court in W.P.(MD) No.18114 of 2018, dated 22.06.2021 has been fully complied with and the entire monetary benefit has been paid to the petitioner and no amount is due to the petitioner.



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WEB COPY 6.In paragraph No.8 of the compliance affidavit, the aforesaid fact has been clearly stated, which reads as under:-

“ 8.In obedience to the order made in W.P.(MD).No.18114 of 2018 on the file of this Hon'ble Court dated 22.06.2021 the District Educational Officer (Secondary), Tirunelveli, vide his proceedings made in Na.Ka.No.3713/A1/2024, dated 26.01.2025 complied the order in letter and spirit thereby approved the appointment of the writ petitioner w.e.f. 24.08.2017. The monetary benefits were also been paid.”

7.A copy of the compliance affidavit filed by the respondents, dated 18.07.2025 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.

8.Thus, the learned Additional Government Pleader 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.18114 of 2018 dated 22.06.2021, has been fully complied with by the fourth respondent, vide order dated 26.01.2025 and the present Contempt Petition may also be disposed of, accordingly.



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9.Mr.A.Ajith Geethan, learned counsel for the petitioner submits that he has received a copy of the compliance affidavit filed by the respondents, dated 18.07.2025, annexing a copy of the Order passed by the fourth respondent dated 26.01.2025 and has no objection, if the respondents are discharged from the contempt proceedings, as the judgment and order of this Court dated 22.06.2021 has been complied with by the respondents, vide order dated 26.01.2025. He further submits that the entire monetary benefit due to the petitioner has already been paid to the petitioner and as of now, no amount is due to the petitioner.

10.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. 18114 of 2018 dated 22.06.2021 and the compliance affidavit filed by the respondents, dated 18.07.2025, annexing a copy of the order passed by the fourth respondent, dated 26.01.2025 and also considering the fact that the entire monetary benefit has already been paid to the petitioner, this Court satisfied that the direction issued by this Court in W.P.(MD) No. 18114 of 2018, dated 22.06.2021 has been fully complied with by the respondents and thus, no useful purpose will be served in continuing the present contempt proceedings against the respondents.



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11. Accordingly, the Contempt Petition is finally disposed of and the respondents are discharged from the present contempt proceedings. No costs. The file is consigned to record.

Index :Yes / No
Internet :Yes / No

18.07.2025

vsg

To

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