



Contempt Petition (MD)No.1120 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.07.2025

CORAM:

THE HONOURABLE **MR.JUSTICE SHAMIM AHMED**

Contempt Petition (MD)No.1120 of 2024

In

W.P.(MD)No.25137 of 2019

Mrs.M.Thirumugam Thiresa,
B.T.Assistant (History),
Loyala Higher Secondary School,
Hanumantharayankottai,
Dindigul,
Dindigul District.

Petitioner/Petitioner

Vs

1.Mr.Nazaruddin,
The Chief Educational Officer,
Dindigul,
Dindigul District.

2.Mr.K.C.Sudhakar,
The District Educational Officer,
District Educational Office,
Dindigul District.

Contemnors/Respondents 3 & 4

PRAYER: Contempt Petition is filed under Section 11 of Contempt of Courts Act, to punish the Contemnors/ Respondents 3 & 4 for willfully disobeying and not complying with the order passed by this Court in W.P(MD)No.25137 of 2019, dated 05.07.2022.



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For Petitioner : Mr.G.Karthik

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 05.07.2022 passed by this Court in W.P.(MD)No.25137 of 2019.

2. Heard Mr.G.Karthik, learned counsel for the Petitioner and Mr.D.Sadiq Raja, learned Additional Government Pleader 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.25137 of 2019 dated 05.07.2022 and the learned Single Judge of this Court allowed the said Writ Petition in the following terms:



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“8. In the result, the impugned order, dated 21.06.2019, on the file of the fourth respondent is quashed. Consequently, there shall be a direction to the third and fourth respondents herein to bring the petitioner herein under the Old Pension Scheme, based on the petitioner's initial appointment as Secondary Grade Assistant with effect from 01.06.1997, forthwith.

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

4. Today, when the matter was taken up, Mr.D.Sadiq Raja, learned Additional Government Pleader, submits that the Respondents had preferred a Writ Appeal bearing W.A.(MD)No.1268 of 2024 against the judgment and order passed by the learned Single Judge of the Writ Court dated 05.07.2022, in W.P.(MD)No.25137 of 2019. He further submits that the Hon'ble Division Bench of this Court, vide judgment and order dated 17.02.2025, disposed of the Writ Appeal in the following terms:

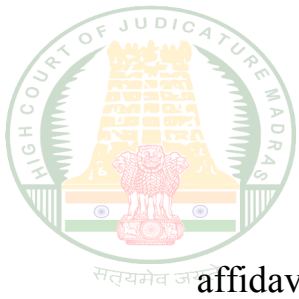


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“4. In the order passed by the learned Single Judge, it is held that the petitioner is entitled only for old pension scheme from the date of her initial appointment, ie., on 01.06.1997, which is only for pensionary benefits and not the salary for the said period. Hence, it is made clear that the writ petitioner is not entitled for any salary for the said period and she is entitled only for pensionary benefits as per the old pension scheme. Accordingly, the appellants are directed to disburse the pensionary benefits within a period of twelve weeks from the date of receipt of a copy of the judgment.

5. With the aforesaid clarification, the writ appeal stands disposed of. No costs. Consequently connected Miscellaneous Petition is closed.”

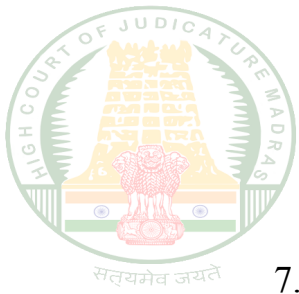
5. Today, the learned Special Government Pleader filed an affidavit of compliance along with the order dated 20.06.2025 passed by the District Educational Officer (Secondary), Dindigul and submits that the Respondents have complied with the order of the Writ Court dated 05.07.2022 passed in W.P.(MD)No.25137 of 2019. The said fact is stated in paragraph no.8 of the compliance affidavit. A copy of the compliance



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affidavit along with the order dated 20.06.2025 as well as the judgment and order passed by the Hon'ble Division Bench in W.A.(MD)No.1268 of 2024 dated 17.02.2025, have been taken on record and the same have been furnished to the learned counsel for the Petitioner. Therefore, he prays that the Respondents may be discharged from the contempt proceedings and the present contempt petition may be disposed of accordingly.

6. Mr.G.Karthik learned counsel for the Petitioner, submits that he has received a copy of the order dated 20.06.2025 passed by the District Educational Officer (Secondary), Dindigul along with compliance affidavit and submits that the direction issued by the Appellate Court in W.A.(MD)No.1268 of 2024 dated 17.02.2025 has not been fully complied with, but only partially complied with. He further submits that if the Petitioner is aggrieved by the order dated 20.06.2025, he may be permitted to challenge it before the competent Court of law. The learned counsel states that he has no objection to the Respondents being discharged from the contempt proceedings.



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7. Considering the submissions made by the learned counsel for the Petitioner and the learned Additional Government Pleader for the Respondents, and upon perusal of the order dated 20.06.2025 passed by the District Educational Officer (Secondary), Dindigul, along with the compliance affidavit and the judgment and order passed by the Appellate Court dated 17.02.2025 in W.A.(MD)No.1268 of 2024, this Court is of the view that no useful purpose would be served by keeping the present contempt proceedings pending. Accordingly, the Respondents are discharged from the contempt proceedings.

8. In view of the above, the Contempt Petition is **disposed of** with liberty to the Petitioner to challenge the order dated 20.06.2025 before the competent Court of law, if he is so aggrieved. The file shall be consigned to the records. There shall be no order as to costs.

17.07.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr



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- To:
- 1.The Chief Educational Officer,
Dindigul,
Dindigul District.
 - 2.The District Educational Officer,
District Educational Office,
Dindigul District.



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SHAMIM AHMED, J.

Nsr

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