



Contempt Petition (MD)No.1352 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 17.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE SHAMIM AHMED

Contempt Petition (MD)No.1352 of 2023

In

W.P.(MD)No.18789 of 2022

The Correspondent,
Arunachalam Higher Secondary School,
Thiruvattar - 629 177,
Kanniyakumari District.

Petitioner/Petitioner

Vs

- 1.Thiru.Dr.A.Pugalendhi,
The Chief Educational Officer,
Nagercoil,
Kanniyakumari District.
- 2.Thiru.S.K.Ravichandran,
The District Educational Officer,
Marthandam,
Kanniyakumari District
Early,
The District Educational Officer,
Thuckalay, Kanniyakumari District.

Contemnors/Respondents

PRAYER: Contempt Petition is filed under Section 11 of Contempt of Courts Act, 1971, to punish the Contemnors/Respondents for willfully disobeying and not complying with the order passed by this Court in W.P(MD)No.18789 of 2022, dated 02.09.2022.



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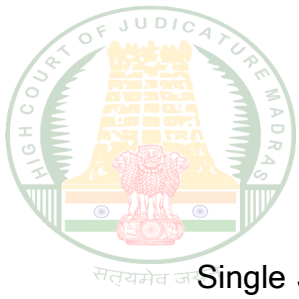
For Petitioner : Ms.A.Amala
For Respondents : Mr.F.Deepak
Special Government Pleader

ORDER

This is a petition seeking initiation of contempt proceedings against the Respondents for violation of the order, dated 02.09.2022 passed by this Court in W.P.(MD)No.18789 of 2022.

2. Heard Ms.A.Amala, learned counsel for the Petitioner and Mr.F.Deepak, learned Special Government Pleader for the Respondents.

3. Ms.A.Amala, learned counsel for the Petitioner submits that the Private Aided Minority and Non-Minority Schools have appointed various teaching staff members in their Institutions. However, the proposals sent by the School Management to the concerned Educational Authority seeking approval for the appointment of these teachers have been rejected. The petitioner is one of the teachers whose appointment as a B.T. Assistant (Maths) was not approved. Aggrieved by this, the Petitioner, along with other similarly aggrieved teachers, have filed a bunch of writ petitions in W.P.(MD) Nos.6340 of 2018, etc., batch, and the Petitioner's writ petition is W.P.(MD) No.18789 of 2022. The learned



Single Judge of this Court vide common judgment and order dated 02.09.2022

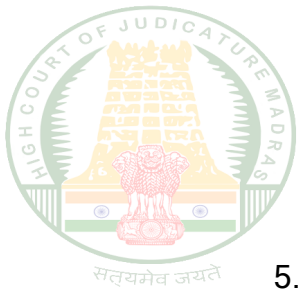
allowed the said Writ Petitions. For better appreciation, the relevant portion of the order is reproduced below:

“W.P.(MD)No.18789 of 2022:

Accordingly, the impugned order dated 02.12.2021, on the file of the third respondent is quashed. Consequently, there shall be a direction to the concerned Educational Authorities to forthwith pass orders, approving the appointment of J.Saranya to the post of B.T.Assistant (Maths) in the petitioner school with effect from 21.07.2017, together with all service and monetary benefits within a period of four (4) weeks from the date of receipt of a copy of this order.

8. The writ petitions are allowed accordingly. No costs. Consequently, connected miscellaneous petitions are closed.”

4. The learned counsel for the Petitioner submits that, in compliance with this Court's order, the Petitioner has submitted several representations, accompanied by a copy of the judgment and order dated 02.09.2022 passed by this Court in W.P.(MD)No.18789 of 2022, to the Respondents. A copy of the acknowledgement receipts are also annexed to the paper book of the petition.



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5.The learned counsel for the Petitioner further submits that despite the judgment and order passed by this Court dated 02.09.2022 in W.P.(MD) No. 18789 of 2022, the Respondents have not complied with the directions of this Court and they have wilfully and deliberately flouting the orders passed by this Court. Thus, the learned counsel submits that the Respondents are in contempt and they 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.

6. Today, when the matter is being taken up, Mr.F.Deepak, the learned Special Government Pleader for the Respondents, produced an order dated 14.03.2025, passed by the 1st Respondent / Chief Educational Officer, Nagercoil, Kanniyakumari District and submits that the Respondents have fully complied with the order passed by this Court dated 02.09.2022 in W.P.(MD)No. 18789 of 2022. A copy of the said order has been taken on record and furnished to the learned counsel for the Petitioner.

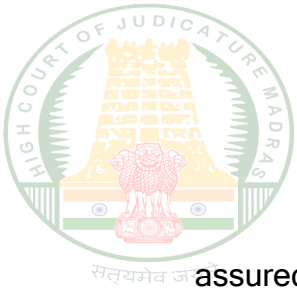
7. The learned Special Government Pleader further submits that the Petitioner's appointment to the post of B.T. Assistant (Maths) was approved with effect from the date of her initial appointment, i.e., 21.07.2017. As per the Court's order dated 02.09.2022 in W.P.(MD)No.18789 of 2022 of 2022, the



Petitioner will receive all service and monetary benefits within four weeks from today, after completing due formalities. Thus, the order passed by this Court dated 02.09.2022 in W.P.(MD)No.18789 of 2022 of 2022 is complied with. Therefore, he prays that the Respondents be discharged from the contempt proceedings.

8. Ms.A.Amala, learned counsel for the Petitioner submits that the Petitioner has received a copy of the order dated 14.03.2025. She also concurs with the submissions made by the learned Special Government that the Petitioner will receive all service and monetary benefits within four weeks, upon completion of requisite formalities. Therefore, she states that she has no objection to discharging the Respondents from the contempt proceedings at this stage.

9. Considering the submissions made by the learned counsel for the Petitioner and the learned Special Government Pleader for the Respondents, and upon perusal of the order dated 14.03.2025, this Court is satisfied that the Respondents have approved the Petitioner's appointment as B.T.Assistant (Maths) with effect from the date of her initial appointment, i.e., 21.07.2017, and have thus complied with the judgment and order dated 02.09.2022 in W.P.(MD)No.18789 of 2022. The learned Special Government Pleader has also



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assured that the service and monetary benefits will be disbursed within a period of four weeks from today. In view of this assurance, this Court deems it appropriate to drop the contempt proceedings. Accordingly, the Respondents are discharged from the contempt proceedings at this stage.

10. In view of the above, the Contempt Petition is disposed of at this stage. The file shall be consigned to record. No costs.

17.03.2025

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



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To:

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SHAMIM AHMED, J.

Nsr

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