



CONT.P(MD)No.1248 of 2023

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.1248 of 2023

in

W.P.(MD) No.9456 of 2020

J.Barakath Alima,
B.T.Assistant (Tamil),
Hameediah Higher Secondary School,
Kilakarai,
Ramanathapuram District.

... Petitioner

vs.

P.Sudhakar,
The District Educational Officer,
O/o. the District Educational Office,
Mandapam,
Ramanathapuram District.

... Respondent

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Court to punish the contemnor/2nd respondent for the deliberate and wilful disobedience of the order dated 02.09.2022 passed by this Court in W.P.(MD) No.9456 of 2020.

For Petitioner :Ms.Saphna for
M/S.Ajmal Associates

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



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ORDER

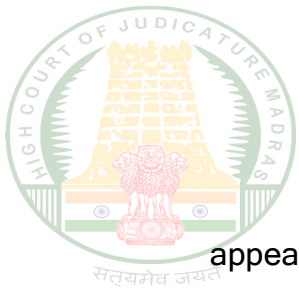
This Contempt Petition has been filed with the prayer that the respondent/contemnor has not complied with the judgment and order passed by this Court in W.P.(MD) No.9456 of 2020, dated 02.09.2022.

2.Heard Ms.Saphan for M/S.Ajmal Associates appearing for the petitioner and Mr.D.Sadiq Raja, learned Additional Government Pleader, for the Respondent.

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.7051 of 2020, vide order dated 02.09.2022, had passed the following order in W.P.(MD) No.9456 of 2020:-

“Accordingly, the impugned order dated 13.01.2020, on the file of the second respondent is quashed. Consequently, there shall be a direction to the concerned Educational Authorities to forthwith pass orders, approving the appointment of the petitioner to the post of B.T.Assistant (Tamil), in the third respondent school, 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.”

4.The learned counsel for the petitioner submits that challenging the judgment and order, dated 02.09.2022, the respondent has preferred an



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appeal in W.A.(MD) No.1840 of 2023, before this Court, which was dismissed by the Hon'ble Division Bench of this Court, vide judgment and order, dated 18.10.2023.

5.Thus, the learned counsel for the petitioner submits that in spite of the dismissal of the Writ Appeal, the respondent has not complied with the directions issued by this Court in W.P.(MD) No.9456 of 2020, dated 02.09.2022. Thus, being no other alternative, the present Contempt Petition has been filed with the prayer that the respondent/contemnor has wilfully and deliberately flouted the order passed by this Court and is in contempt of the judgment and order of this Court dated 02.09.2022. Thus, he 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 respondent, has produced an affidavit of compliance, dated 25.06.2025, annexing a copy of the decision taken by the Chief Educational Officer, Ramanathapuram, dated 21.03.2025, in which it has been stated that the judgment and order passed by this Court in W.P. (MD) No.9456 of 2020, dated 02.09.2022 has been fully complied with. The compliance affidavit filed by the respondent is taken on record and a copy of the same has also been given to the learned counsel for the petitioner.

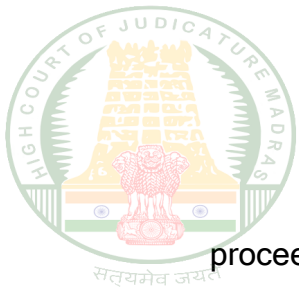


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WEB COPY 7.The learned Additional Government Pleader further submits that the respondent has already granted approval to the appointment of the petitioner for the post of B.T.Assistant (Tamil) in the third respondent school with effect from 01.07.2019. He further assures this Court that all services and monetary benefits payable by the respondent will be paid in accordance with law in the account of the petitioner within six weeks from today. Thus, he submits that the respondent may be discharged from the present contempt proceedings, as the judgment and order of this Court dated 02.09.2022 has been fully complied with, vide order dated 21.03.2025.

8.Ms.Saphna for M/S.Ajmal Associates appearing for the petitioner submits that she has received a copy of the compliance affidavit of the respondent, dated 25.06.2025 along with a copy of the decision taken by the Chief Educational Officer, Ramanathapuram, dated 21.03.2025 and submits that the respondent has made full compliance of the judgment and order passed by this Court in W.P.(MD) No.9456 of 2020, dated 02.09.2022.

9.She further submits that the petitioner's appointment for the post of B.T.Assistant (Tamil) in the third respondent school was approved by the respondent with effect from 01.07.2019. Thus, she submits that she has no objection, if the respondent is discharged from the present contempt



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proceedings at this stage, as the judgment and order of this Court dated 02.09.2022 has been fully complied with, vide order dated 21.03.2025 and the present Contempt Petition may also be disposed of. It was further submitted that a positive direction may be given to the respondent 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.9456 of 2020, dated 02.09.2022 and in W.A.(MD) No.1840 of 2023, dated 18.10.2023 and after perusal of the order passed by the Chief Educational Officer, Ramanathapuram, dated 21.03.2025, this Court satisfied that the direction issued by this Court in W.P.(MD) No.9456 of 2020, dated 02.09.2022 and in W.A.(MD) No.1840 of 2023, dated 18.10.2023 has been fully complied with by the respondent and there is no justification in continuing the present contempt proceedings against the respondent.

11.Accordingly, the Contempt Petition is finally disposed of and the respondent is 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 respondent shall credit all services and monetary benefits in the account of the petitioner in accordance



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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

The District Educational Officer,
O/o. the District Educational Office,
Mandapam,
Ramanathapuram District.



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SHAMIM AHMED, J.

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