



CONT.P(MD)No.1822 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.07.2025

CORAM

THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

CONT.P(MD) No.1822 of 2023

in

W.P.(MD) No.11227 of 2022

C.M.S.Higher Secondary School
rep by its Correspondent,
Mr.G.Edwin Kanagaraj,
Srivilliputtur,
Virudhunagar District

C.M.S.Higher Secondary School
rep by its Correspondent,
Mr.Sam Jebaraj
Srivilliputtur,
Virudhunagar District.

(At the time of filing the writ petition one Mr.G.Edwin Kanagaraj
was serving as Correspondent and his tenure expired on 02.08.2022
Therefrom, the petitioner herein has been functioning as
Correspondent of the school)

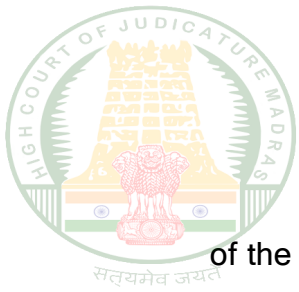
... Petitioner

vs.

T.Raman,
The Chief Educational Officer,
O/o. the Chief Educational Office,
Virudhunagar,
Virudhunagar District.

... Respondent

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Court
to punish the contemnor/respondent for the deliberate and wilful disobedience



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of the order dated 02.09.2022 passed by this Court in W.P.(MD) No.11227 of 2022.

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For Petitioner :Mr.Mohammed Aqil for
M/S.Ajmal Associates

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

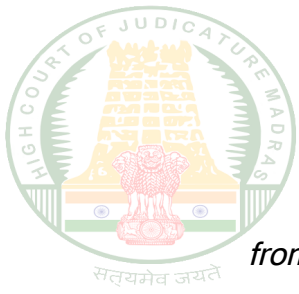
ORDER

This Contempt Petition has been filed with the prayer that the respondent/contemnor has not complied with the judgment and order passed by the Writ Court in W.P.(MD) No.11227 of 2022, dated 02.09.2022.

2.Heard Mr.Mr.Mohammed Aqil 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.11227 of 2022:-

“Accordingly, the impugned order dated 09.11.2021, on the file of the first respondent is quashed. Consequently, there shall be a direction to the concerned Educational Authorities to forthwith pass orders, approving the appointment of Mr.S.Andrus Sam Kirubakaran, to the post of P.G.Assistant (Physics), in the petitioner school with effect



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from 07.02.2020 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. Thereafter, this Court, vide order dated 17.07.2025, in the present contempt petition had passed the following directions:-

“Today, when the matter was taken up, Mr.D.Sadiq Raja, learned Additional Government Pleader for the Respondents, submits that the Respondents have preferred a Writ Appeal bearing W.A. (MD)No.754 of 2024 against the judgment and order passed by the learned Single Judge of this Court in W.P.(MD)No.11227 of 2022 dated 02.09.2022. The Writ Appeal is listed today before the Hon'ble Division Bench. Accordingly, he prays for a short adjournment.

2. The learned counsel for the Petitioner has no objection to the above said prayer made by the learned Additional Government Pleader for the Respondents.

3. Accordingly, as prayed for by the learned Additional Government Pleader for the Respondents, adjournment is allowed.

4. Put up the case on 22.07.2025 “For Orders” before this Court.”

5. The learned counsel for the Petitioner submits that despite the judgment and order passed by the Writ Court in W.P.(MD) No.11227 of 2022, dated 02.09.2022 and the directions issued by this Court in Cont.P.(MD) No. 1822 of 2023, dated 17.07.2025, the respondent has not complied with the directions of this Court and has wilfully and deliberately flouted the order



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passed by the Writ Court and is in contempt of the judgment and order of the Writ 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, submits that challenging the judgment and order, dated 02.09.2022, the respondent has preferred an appeal in W.A.(MD) No.754 of 2024, before this Court , which is pending for consideration before the Hon'ble Division Bench of this Court. He further submits that the Writ Appeal was posted for hearing on 25.07.2025.

7.Therefore, in compliance of the order passed by the Writ Court, dated 02.09.2022 in W.P.(MD) No.11227 of 2022 as well as this Court in Cont.P.(MD) No.1822 of 2023, dated 17.07.2025, he has filed an affidavit of compliance, dated 22.07.2025, annexing a copy of the decision taken by the Chief Educational Officer, Virudhunagar, dated 19.07.2025, in which it has been stated that the judgment and order passed by the Writ Court in W.P.(MD) No.11227 of 2022, dated 02.09.2022 has been 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.



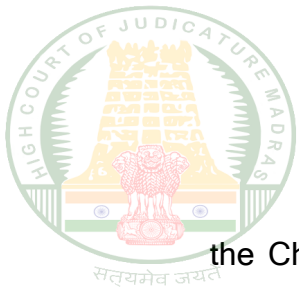
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8.Mr.D.Sadiq Raja, learned Additional Government Pleader further submits that the respondent has granted approval to the appointment of the petitioner for the post of P.G.Assistant (Physics) with effect from 07.02.2020 and assures this Court that all services and monetary benefits payable by the respondent will be paid in accordance with law in the account of the petitioner within four weeks from today, without fail. In paragraph No7 of the compliance affidavit, the said fact has been clearly stated, which is being reproduced herein below:-

“7.In obedience to the order made in W.P.(MD).No.11227 of 2022 dated 02.09.2022 the Chief Educational Officer, Virudhunagar vide proceedings dated 19.07.2025 made in Ni.Mu.No. 7095/Aa3/2025 complied the order in letter and spirit thereby approved the appointment of the writ petitioner w.e.f. 07.02.2020.”

Thus, he submits that the respondent may be discharged from the present contempt proceedings, as the judgment and order of the Writ Court dated 02.09.2022 has been complied with, vide order dated 19.07.2025.

9.Mr.Mohammed Aqil for M/S.Ajmal Associates appearing for the petitioner submits that he has received a copy of the compliance affidavit of the respondent, dated 22.07.2025 along with a copy of the decision taken by



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the Chief Educational Officer, Virudhunagar, dated 19.07.2025 and submits that the respondent has made compliance of the judgment and order passed by the Writ Court in W.P.(MD) No.11227 of 2022, dated 02.09.2022.

10.He further submits that the petitioner's appointment for the post of P.G.Assistant (Physics) was approved by the respondent with effect from 07.02.2020. Thus, he submits that he has no objection, if the respondent is discharged from the present contempt proceedings at this stage, as the judgment and order of this Court dated 02.09.2022 has been complied with, vide order dated 19.07.2025 and the present Contempt Petition may also be disposed of, accordingly. 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.

11.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.11227 of 2022, dated 02.09.2022 and the order of this Court passed in Cont.P.(MD) No.1822 of 2023, dated 17.07.2025 and after perusal of the order passed by the Chief Educational Officer, Virudhunagar, dated 19.07.2025, this Court satisfied that the direction issued by the Writ Court in W.P.(MD) No.11227 of 2022, dated 02.09.2022 has been complied with by



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the respondent and there is no justification in continuing the present contempt proceedings against the respondent.

12. Accordingly, the Contempt Petition is finally disposed of at this stage 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 with law within a period of four weeks from today without any further delay. The file is consigned to record. No costs.

Index :Yes / No
Internet :Yes / No

22.07.2025

cmr

To

The Chief Educational Officer,
O/o. the Chief Educational Office,
Virudhunagar,
Virudhunagar District.



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SHAMIM AHMED, J.

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22.07.2025