



Cont.P.(MD)No.1127 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 03.03.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

Cont. P(MD)No.1127 of 2022
in
W.A.(MD)No.420 of 2014

M.Lalitha

... Petitioner / Respondent / Petitioner

Vs.

1.S.Kannappan,
The Director of School Education,
Chennai.

2.V.Thirupathi,
The District Elementary Educational Officer,
Virudhunagar District,
Virudhunagar.

... Contemnors / Appellants / Respondents

Prayer: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, to punish the respondents herein for willful disobedience of the order of this Court in W.A.(MD)No.420 of 2014 dated 02.08.2017 in W.P. (MD)No.16938 of 2013, dated 07.01.2014.



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For Petitioner :Mr.M.Micheal Bharath

For Respondents :Mr.T.Amjath Khan
Government Advocate

ORDER

The petitioner herein was working as BT Assistant (English) in the Panchayat Union Primary School, A.Ramalingapuram, Sattur. Following the upgradation of the said school as Panchayat Union Middle School at Mettupatti and the option exercised by Ramadevi, the petitioner was reverted back to this school and posted as Secondary Grade Teacher. Challenging the same, the petitioner filed W.P.(MD)No.16938 of 2013. Though the orders impugned in the writ petition were set aside, the relief was given to the petitioner by directing the Chief Educational Officer, Virudhunagar to appoint the petitioner as BT Assistant (English) in the newly upgraded High School, K.Mettupatti. Aggrieved by the said direction, the department filed W.A.(MD)No.420 of 2014. Since it was pointed out that the Chief Educational Officer cannot make any such appointment, the direction given by the learned single Judge was modified and the Division Bench directed the Director of School Education, Chennai to appoint the petitioner as BT Assistant (English) in the newly upgraded High School, K.Mettupatti. The writ appeal was dismissed on



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02.08.2017. Contending that the order was not immediately complied with, the present contempt petition came to be filed.

2. It is seen that as on date, the petitioner is working as BT Assistant (English). However, this appointment was made only in the year 12.04.2023. The petitioner states that if this order had been complied with after allowing the writ petition on 07.01.2014, she would have been monetarily benefitted. We are not inclined to fully agree with the petitioner's counsel's contention. Admittedly, the orders impugned in W.P.(MD)No.16938 of 2013 were not quashed. However, relief had been given with effect from 07.01.2014. Therefore, the petitioner's service will be notionally reckoned as BT Assistant (English) with effect from 07.01.2014 for the purpose of computing her pensionary benefits. The Director of School Education, Chennai is directed to issue appropriate proceedings in this regard.

3. With the aforesaid direction, the contempt petition is closed.

[G.R.S., J.] [M.J.R., J.]
03.03.2025

NCC : Yes / No
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G.R.SWAMINATHAN, J

and

M.JOTHIRAMAN, J.

rmi

To

- 1.The Director of School Education,
Chennai.
- 2.The District Elementary Educational Officer,
Virudhunagar District,
Virudhunagar.

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