



CONT.P(MD)No.1484 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2025

CORAM

THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

CONT.P(MD)No.1484 of 2023

St.Peter Higher Secondary School,  
through its Correspondent,  
Fr.P.Henry Pushbaraj,  
Virakaaloor, Lalgudi Taluk,  
Thiruchirappalli.

... Petitioner

vs.

1.M.Sivakumar,  
Chief Educational Officer,  
Thiruchirappalli.

2.K.Muthuselvan,  
District Educational Officer,  
Lalgudi Education District,  
Lalgudi, Thiruchirappalli District.

... Respondents

**PRAYER:** Contempt Petition filed under Section 11 of the Contempt of Court to punish the contemnors/respondents for willful disobedience to the orders of this Court, dated 02.09.2022 in W.P.(MD)No.16232 of 2022 and punish the respondents for contempt.

|                 |                                                    |
|-----------------|----------------------------------------------------|
| For Petitioner  | :Mr.M.Venkatesh Prasad<br>for Mr.VR.Shanmuganathan |
| For Respondents | :Mr.F.Deepak<br>Special Government Pleader         |

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## 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.16232 of 2022.

2.Heard Mr.M.Venkatesh Prasad, learned Counsel representing Mr.VR.Shanmuganathan learned Counsel for the petitioner and Mr.F.Deepak, learned Special Government Pleader for the respondents.

3.When the matter was taken up on 10.03.2025, this Court has passed the following order:

*“The learned Counsel for the petitioner submits that a bunch of Writ Petitions have been filed before this Court challenging the impugned order, by which, the approval for the appointment of the Teachers, was denied on different posts and it is the case of the petitioner that vide impugned order, dated Nil.03.2022 (signed on 21.03.2022) was passed, by which, the respondents have not approved the appointment of one Mr.Milton Jeseeph in the petitioner School for the post of Drawing Teacher with effect from 01.12.2021 and also did not paid the consequential monetary benefits. A coordinate Bench of this Court, by order, dated 02.09.2022, had allowed the Writ Petitions filed by the petitioner School and others and in respect of the Writ Petition filed by the petitioner School in W.P. (MD)No. 16232 of 2022, the following observations has been made:*

*“Accordingly, the impugned order dated Nil.03.2022 (signed on 21.03.2022), on the file of the third respondent and the consequential impugned proceedings of the fourth respondent dated Nil.03.2022 (signed on 28.03.2022) are quashed. Consequently, there shall be a direction to the concerned Educational Authorities to forthwith pass orders, approving the appointment of M.Milton Joseph, to the post of Drawing Teacher in the petitioner school with effect from*



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*01.12.2021, 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."*

*2.The learned Counsel for the petitioner further submits that in spite of the positive directions issued by this Court by which the impugned order was quashed and the respondents were directed to approve the appointment of Mr.M.Milton Joseph in the post of Drawing Teacher in the petitioner School with effect from 01.12.2021 together with service and monetary benefits within a period of four weeks from the date of receipt of a copy of that order, the respondents have not made compliance of the order passed by this Court, dated 02.09.2022.*

*3.Mr.F.Deepak, learned Special Government Pleader for the respondents submits that against the order, dated 02.09.2022, passed in bunch of cases including the Writ Petition filed by the petitioner, W.A.(MD)No.814 of 2022 has been filed before the Division Bench of this Court. But, he fairly submits that there is no interim stay granted by the Division Bench and the appeal is pending for admission.*

*4.Mr.VR.Shanmuganathan, learned Counsel for the petitioner submits that respondents shall not take any benefit by filing an appeal before the Division Bench without getting any interim order and not complying the order passed by this Writ Court, dated 02.09.2022. He also submits that if there is no interim order passed by the Division Bench in appeal filed by the respondents, the respondents shall not take shelter that they have filed an appeal and shall not comply with the directions issued by the Writ Court. Thus, they have committed the contempt of Court and the order passed by this Court has been deliberately and willfully flouted by the respondents. Thus, they shall be summoned by this Court and punished for committing the contempt of Court.*

*5.Mr.F.Deepak, learned Special Government Pleader for the respondents submits that one last opportunity may be given to the respondents to made compliance of the order passed by this Court in respect of the observations made in W.P.(MD)No.16232 of 2022. He also submits that he will instruct the respondents to pursue the batch of Writ Appeals and get interim order on or before the next date fixed by this Court.*

*6.Accordingly, after considering the request made by the learned Special Government Pleader, one last opportunity is granted*



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*to the respondents to made compliance of the order passed by this Court in W.P.(MD)No.16232 of 2022, dated 02.09.2022 or to submit the interim order of the Division Bench in the pending appeal, if any.*

*7.Put up this case "for compliance" on 27.03.2025.'*

4.Today, when the matter is being taken up, Mr.F.Deepak, learned Special Government Pleader has produced a compliance affidavit annexing the copy of the order, dated 24.03.2025. passed by the first respondent and in paragraph No.7 of the compliance affidavit, it has been clearly stated that the respondents have made fully complied with the judgment and order passed by this Court, dated 02.09.2022 passed in W.P.(MD)No.16232 of 2022 and the approval for appointment of Mr.M.Milton Joseph as Drawing Teacher in the petitioner School was granted. The compliance affidavit, dated 09.04.2024 is produced before this Court, which is taken on record. The copy of the compliance affidavit, dated 09.04.2024 was also served on the learned Counsel for the petitioner. Mr.F.Deepak, learned Special Government Pleader also submits that whatever the monetary and other benefits due to Mr.M.Milton Joseph shall be paid to him within a period of two months from today. Thus, Mr.F.Deepak, learned Special Government Pleader submits that as the respondents have made complied with the judgment and order passed by this Court dated 02.09.2022 passed in W.P.(MD)No.16232 of 2022, they may be discharged from the present Contempt Proceedings.



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5.Mr.M.Venkatesh Prasad, learned Counsel representing

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Mr.VR.Shanmuganathan, learned Counsel for the petitioner submits that he has also received the compliance affidavit, dated 09.04.2024 along with the copy of the decision taken by the first respondent, dated 24.03.2025 and submits that the respondents have made complied with the judgment and order passed by this Court dated 02.09.2022 passed in W.P.(MD)No.16232 of 2022. Thus, he submits that the approval for the appointment of Mr.M.Milton Joseph to the post of Drawing Teacher in the petitioner School has also been granted. He also submits that as assured by the learned Special Government Pleader, the monetary benefits be paid to Mr.M.Milton Joseph within a period of two months from today and he has no objection that the respondents may be discharged from the present contempt proceedings and the Contempt Petition may be disposed of.

6.Accordingly, In view of the submissions made by the learned counsel for the parties and after perusal of the compliance affidavit, especially at paragraph No.7 of the compliance affidavit and the order passed on behalf of the first respondent, dated 24.03.2025, by which the approval for appointment of Mr.M.Milton Joseph, in the petitioner School was granted, this Court also deem it appropriate that no useful purpose would be served by keeping the contempt proceedings pending. Accordingly, the respondents are discharged from the contempt proceedings. The respondents shall paid all the service



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and monetary benefits payable to Mr.M.Milton Joseph, as assured by the learned Special Government Pleader, within a period of two months from today.

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

Index :Yes / No  
Internet :Yes / No  
NCC :Yes / No

28.04.2025

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To

1.The Chief Educational Officer,  
Thiruchirappalli.

2.The District Educational Officer,  
Lalgudi Education District,  
Lalgudi, Thiruchirappalli District.



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**SHAMIM AHMED, J.**

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