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CONT.P(MD)No.1543 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.07.2025

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THE HONOURABLE MR.JUSTICE SHAMIM AHMED

CONT.P(MD)No.1543 of 2019

B.Arul Jothi

... Petitioner

VS.

Rajendran,
District Educational Officer,
Sivagangai, Sivagangai District.

... Respondent

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Court to punish the contemnors/respondents for his wilful and deliberate disobedience of the order of this Court passed in W.P.(MD)No.19418 of 2019 dated 09.09.2019.

For Petitioner	:Ms.A.Amala
For Respondent	:Mr.D.Sadiq Raja Additional Advocate General

ORDER

This is a petition seeking initiation of contempt proceedings against the respondent for violation of the order, dated 09.09.2019, passed by this Court in W.P.(MD)No.19418 of 2019.

2.Heard Ms.A.Amala, learned Counsel for the petitioner and Mr.D.Sadiq Raja, learned Additional Government Pleader for the respondent.



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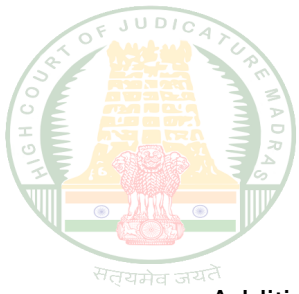
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3.The Co-ordinate Bench of this Court, vide order, dated 09.09.2019 in W.P.(MD)No.19418 of 2019, had passed the following order:-

“9. From the materials on record, it is seen that the appointment of the petitioner was approved subject to the result of the writ petition in W.P.(MD)No.15335 of 2017 filed by the fifth respondent. This Court, by an order, dated 7.3.2019, directed the respondents to grant approval for appointment to the petitioner at the earliest. The third respondent instead of granting approval or ratifying the approval granted earlier, had cancelled the order of approval. The impugned order cancelling the approval is not only contrary to the order of this Court, dated 7.3.2019 in W.P.(MD)No. 15335 of 2017, but also in deliberate violation of order of this Court. Unless the order of this Court, dated 7.3.2019, is set aside by a Division Bench or Apex Court, the third respondent is bound to obey the order of this Court and grant approval for appointment to the petitioner.

10. For the above reason, the impugned order passed by the third respondent in Na.Ka.No.580/a2/2019, dated 14.08.2019, is quashed and the third respondent is directed to approve the appointment of the petitioner and release the salary to the petitioner.”

4.The learned Counsel for the petitioner submits that despite the judgment and order passed by this Court in W.P.(MD)No.19418 of 2019, dated 09.09.2019, the respondent has not complied with the directions of this Court and he had wilfully and deliberately flouting the orders passed by this Court, dated 09.09.2019. Thus, the learned Counsel submits that the respondent should be summoned and punished for committing contempt of Court by exercising the powers under Sections 11 and 12 of the Contempt of Courts Act, 1971.



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5.Today, when the matter is taken up, Mr.D.Sadiq Raja, learned Additional Government Pleader, who accepted notice on behalf of the respondent, in compliance of the order passed by this Court, dated 09.09.2019, produced a compliance affidavit annexing an order, dated 29.09.2023, passed by the respondent. The order passed by the respondent, dated 29.09.2023, is taken on record. A copy of the order passed by the respondent has also been given to the learned Counsel for the petitioner. Thus, the learned Additional Government Pleader submits that as the judgment and order passed by this Court has been fully complied with by the respondents, the respondents may be discharged from the present contempt proceedings and the present Contempt Petition may be disposed of.

6.Ms.A.Amala, learned Counsel for the petitioner submits that she has also received the copy of the order passed by the respondent, dated 29.09.2023 and submits that the respondent has made complied with the judgment and order passed by this Court 09.09.2019 passed in W.P.(MD)No.19418 of 2019. Thus, she submits that she has no objection that the respondent may be discharged from the present contempt proceedings and the Contempt Petition may be disposed of .

7.After considering the arguments, as advanced by the learned Counsel for the parties and after perusal of the order passed by this Court in W.P.(MD)No.



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19418 of 2019, dated 09.09.2019 and the order passed by the respondent, dated 29.09.2023, this Court is also satisfied that the respondent has made fully complied with the directions issued by this Court and no useful purpose will be served in continuing the present contempt proceedings any further. Accordingly, the respondent is discharged from the present contempt proceedings and the present Contempt Petition is disposed of. The file is consigned to record. No order as to costs.

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

23.07.2025

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To

The District Educational Officer,
Sivagangai, Sivagangai District.



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SHAMIM AHMED, J.

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