



CONT.P(MD)No.1851 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.1851 of 2023

in

W.P.(MD) No.4319 of 2012

R.Muthian,
Middle School Headmaster,
Kasthuriba Gandhi Gurukulam,
Aided Middle School,
Dugli, Thiruananthal,
Tanjore District 609 804.

... Petitioner

vs.

1.Tmt.Kakarla Usha IAS,
Secretary to Education Department,
Government of Tamil nadu,
Fort St.George, Chennai-9

2.Dr.A.Karuppasamy,
Director of Elementary Education,
College Road,
Chennai -6.

3.M.Iyyakannu,
District Elementary Educational Officer,
Tanjore District.

4.Sai Sathya Bama,
Block Educational Officer,
Thirupananthal, Tanjore District.
Formerly The Additional Assistant Elementary Educational Officer,
Thirupananthal.

... Respondents



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PRAYER: Contempt Petition filed under Section 11 of the Contempt of Court to punish the contemnors/respondents for non compliance of the order passed in W.P.(MD) No.4319 of 2012 dated 03.04.2014.

For Petitioner :Mr.Ashok Kumar

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

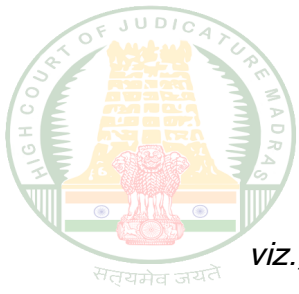
ORDER

This Contempt Petition has been filed with the prayer that the respondents/contemnors have not complied with the judgment and order passed by the Writ Court in W.P.(MD) No.4319 of 2012, dated 03.04.2014.

2.Heard Mr.Ashok Kumar, learned counsel appearing through video conferencing from Chennai and Mr.Arun Kumar, learned counsel appeared at Madurai representing Mr.S.N.Ravichandran, learned counsel for the petitioner and Mr.D.Sadiq Raja, learned Additional Government Pleader, for the Respondents.

3.The Co-ordinate Bench of this Court, vide judgment and order dated 03.04.2014, had allowed the said writ petition with the following directions:-

"7.Following the same, the impugned Government Order, passed in G.O.Ms.No.832, Education Department, dated 15.09.1992, issued by the respondent, insofar as it relates to imposition of fixing the salary of the petitioner at B.Ed., scale of pay for a period five years,



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viz., from 15.02.1990 -14.06.1995, is quashed and the Writ Petition is allowed on the very same terms mentioned in the order, cited supra. No costs. Consequently, connected Miscellaneous Petition is closed."

4.The learned counsel for the Petitioner submits that despite the judgment and order passed by the Writ Court in W.P.(MD) No.4319 of 2012, dated 03.04.2014, the respondents have not complied with the directions of this Court and have wilfully and deliberately flouted the order passed by the Writ Court and are in contempt of the judgment and order dated 03.04.2014. Thus, they should be summoned and punished by exercising the powers under Sections 11 and 12 of the Contempt of Courts Act, 1971.

5.Today, when the matter is taken up, Mr.D.Sadiq Raja, learned Additional Government Pleader for the respondents, in compliance of the judgment and order passed by the Writ Court, dated 03.04.2014 in W.P.(MD) No.4319 of 2012, has filed an affidavit of compliance, dated 22.07.2025, annexing a copy of the decision of the third respondent, dated 03.07.2025, in which it has been stated that the judgment and order passed by the Writ Court in W.P.(MD) No.4319 of 2012, dated 03.04.2014 has been complied with. The compliance affidavit filed by the respondents is taken on record and a copy of the same has also been given to the learned counsel for the petitioner.



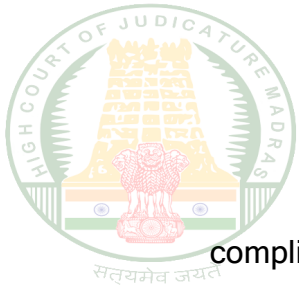
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6.Mr.D.Sadiq Raja, learned Additional Government Pleader further submits that the respondents have fixed the salary of the petitioner on the post of Middle School Headmaster pay scale for a period of five years ie., from 15.02.1990 - 14.06.1995 and disbursed all the monetary benefits to the petitioner, as per the directions of the Writ Court. In paragraph No.8 of the compliance affidavit, the aforesaid fact has been clearly stated, which is reproduced herein below:-

“8. In obedience to the order made in W.P. (MD).No. 4319 of 2012, on the file of this Hon'ble Court dated 03.04.2014 amended as per order dated 24.06.2014 made in W.P. (MD).No. 4319 of 2012 by RMDJ, the District Educational Officer (Elementary), Thanjavur vide his proceedings made in Na.Ka.No. 0471/Aa4/2022 dated 03.07.2025 complied the order in letter and spirit thereby fixing the salary of the petitioner in the post of Middle School Head Master pay scale for period of Five years i.e., 15.02.1990-14.06.1995 and sanctioned/Disbursed all other monetary benefits to the writ petitioner.”

Thus, he submits that the respondents may be discharged from the present contempt proceedings, as the judgment and order of the Writ Court dated 03.04.2014 has been complied with, vide order dated 03.07.2025.

7.Mr.Arun Kumar, learned counsel representing Mr.S.N.Ravichandran, learned counsel for the petitioner submits that he has received a copy of the



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compliance affidavit of the third respondent, dated 22.07.2025, annexing a copy of the order of the third respondent, dated 03.07.2025 and submits that the respondents have not disbursed the amount to the petitioner as per the directions of the Writ Court. Thus, he prays this Court that the petitioner may be given liberty to challenge the same before the competent Court of law, if the petitioner is aggrieved with the amount paid to him. However, he has no objection, if the respondents are discharged from the contempt proceedings, as the judgment and order of the Writ Court dated 03.04.2014 has been complied with by the respondents.

8. Accordingly, in view of the submissions made by the learned counsels for the parties and after perusal of the judgment and order made in W.P.(MD) No.4319 of 2012, dated 03.04.2014 and the compliance affidavit of the third respondent, dated 22.07.2025, annexing a copy of the order of the third respondent, dated 03.07.2025 and in view of the statement given by Mr.D.Sadiq Raja, learned Additional Government Pleader for the respondents that the petitioner was paid with all the monetary benefits, this Court satisfied that the direction issued by this Court in W.P.(MD) No.4319 of 2012, dated 03.04.2014 has been fully complied with by the respondents and thus, no useful purpose will be served in continuing the present contempt proceedings against the respondents.



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9. Accordingly, the Contempt Petition is finally disposed of with liberty to

the petitioner to challenge the aforesaid order before the competent Court of law, if he so desires and the respondents are discharged from the present contempt proceedings. No costs. The file is consigned to record.

Index :Yes / No
Internet :Yes / No

22.07.2025

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To

1. Secretary to Education Department,
Government of Tamil nadu,
Fort St. George, Chennai-9
2. Director of Elementary Education,
College Road,
Chennai -6.
3. District Elementary Educational Officer,
Tanjore District.
4. Block Educational Officer,
Thirupananthal, Tanjore District.
Formerly The Additional Assistant Elementary Educational Officer,
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SHAMIM AHMED, J.

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