



CONT.P(MD)No.2218 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SHAMIM AHMED

CONT.P(MD)No.2218 of 2024

I.Selvakumar

... Petitioner

vs.

P.Vadivel,
District Educational Officer,
Sivagangai, Sivagangai District.

... Respondent

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Court to punish the contemnor/respondent No.2 for his deliberate and wilful disobedience of the order of this Court passed in W.P.(MD)No.55895 of 2021 dated 17.03.2021.

For Petitioner
For Respondent

:Ms.A.Amala
:Mr.F.Deepak
Special Government Pleader

ORDER

Heard Ms.A.Amala, learned Counsel for the petitioner and Mr.F.Deepak, learned Special Government Pleader for the respondent.



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2.This is a petition seeking initiation of contempt proceedings against the respondent for violation of the order, dated 17.03.2021 passed by this Court in W.P.(MD)No.5895 of 2021.

3.The petitioner herein was appointed as B.T.Assistant in a minority aided School, who is the third respondent in the Writ Petition and the claim of the petitioner for conferment of yearly increment and other service benefits from his date of appointment has been rejected by the respondent herein by order, dated Nil.02.2021. Being aggrieved by the action of the respondent, the petitioner had preferred a Writ Petition bearing W.P.(MD)No.5895 of 2021 and this Court vide judgment and order, dated 28.09.2021, had disposed of the Writ Petition with a direction to the respondent herein to consider the case of the petitioner strictly in accordance.

4.The learned Counsel for the petitioner further submits that despite the judgment and order passed by the this Court, in W.P.(MD)No.5895 of 2021, dated 28.09.2021 the respondent had not complied with the directions of this Court and had wilfully and deliberately flouting the order passed by this Court and the respondent should be summoned and punished for committing contempt of Court under Sections 11 and 12 of the Contempt of Court Act.



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5.Today, when the matter is taken up for hearing, Mr.F.Deepak, learned Special Government Pleader for the respondent has produced an order, dated 03.01.2025 and submits that the judgment and order passed by this Court in W.P.(MD)No.5895 of 2021, dated 28.09.2021 has been fully complied with and as per the directions of this Court, the respondent had paid a sum of Rs.8,14,234/- in the account of he petitioner. This fact has been stated in the order, dated 03.01.2025. The copy of the order is produced before this Court, which is taken on record. The copy of the order, dated 03.01.2025, was also served on the learned Counsel for the petitioner. Thus, the learned Special Government Pleader for the respondent submits that as the order passed by this Court has been fully complied with, the respondent may be discharged from the present contempt proceedings.

6.Ms.Amala, learned Counsel for the petitioner submits that the petitioner has already received the sum of Rs.8,14,234/- from the respondent and in view of the order of the respondent, dated 03.01.2025, she submits that the order passed by this Court has been fully complied with and she has no objection that the respondent may be discharged from the present contempt proceedings and the Contempt Petition may be disposed of accordingly.



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7.Considering the submissions made by the learned Counsels for the parties and after perusal of the order, dated 03.01.2025, wherein, it has been clearly stated that the respondent had paid a sum of Rs.8,14,234/- to the petitioner, this Court is satisfied that the respondent had fully complied with the judgment and order of this Court in W.P.(MD)No.5895 of 2021, dated 28.09.2021. Thus, no useful purpose will be served in continuing the present contempt proceedings further. Accordingly, the respondent is discharged from the present contempt proceedings at this stage and the present Contempt Petition is disposed of. The file is consigned to record. No costs.

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

10.03.2025

cmr

To

The District Educational Officer,
Sivagangai, Sivagangai District.



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SHAMIM AHMED, J.

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