



CONT.P(MD)No.1944 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.06.2025

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THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

CONT.P(MD) No.1944 of 2023

in

W.P.(MD) No.14011 of 2022

S.Kirubavathi,
Female/Age 41 years,
Working as B.T.Assistant (English),
Cathedral Higher Secondary School,
Palayamkottai,
Tirunelveli District 627 002.

... Petitioner

vs.

1.Thiru.Dr.P.A.Naresh,
Joint Director of School Education (Secondary Education),
DPI Compound,
Chennai 600 006.

2.Thiru.Chinnarasu,
Chief Educational Officer,
Tirunelveli District 627 009.

3.Tmt.Thayapathi Nalatham,
District Educational Officer (Incharge),
Tirunelveli,
Tirunelveli District.

... Respondents

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Court to punish the contemnors/respondents No.3 to 5 for wilful disobedience of the order dated 01.09.2022 in W.P.(MD) No.14011 of 2022.



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For Petitioner :Mr.S.Veerapandi Selvaraj

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

ORDER

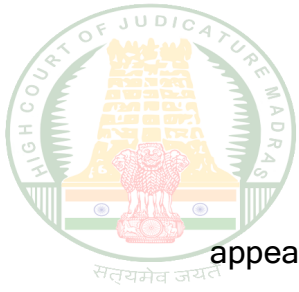
This Contempt Petition has been filed with the prayer that the respondents/contemnors have not complied with the judgment and order passed by this Court in W.P.(MD) No.14011 of 2022, dated 01.09.2022.

2.Heard Mr.S.Veerapandi Selvaraj for the petitioner and Mr.D.Sadiq Raja learned Additional Government Pleader for the Respondents.

3.The Co-ordinate Bench of this Court in W.P.(MD) No.14011 of 2022, vide order dated 01.09.2022, had passed the following order:-

“5.In the result, the impugned order dated 26.09.2016 on the file of the 5th respondent is quashed. Consequently, there shall be a direction to the respondents 3 to 5 herein to pass orders, approving the petitioner's appointment to the post of B.T.Assistant (English) from 16.07.2012, which is the date of her initial appointment, together with all service and monetary benefits. Such orders shall be passed, atleast, within a period of four (4) weeks, from the date of receipt of a copy of this order ”

4.The learned counsel for the petitioner submits that challenging the judgment and order, dated 01.09.2022, the respondents have preferred an



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appeal in W.A.(MD) No.1601 of 2024, before this Court, which was dismissed by the Hon'ble Division Bench of this Court, vide judgment and order, dated 23.09.2024.

5.Thus, the learned counsel for the petitioner submits that in spite of the dismissal of the Writ Appeal, the respondents have not complied with the directions issued by this Court in W.P.(MD) No.14011 of 2022, dated 01.09.2022. Thus, being no other alternative, the present Contempt Petition has been filed with the prayer that the respondents/contemnors have wilfully and deliberately flouted the order passed by this Court and are in contempt of the judgment and order of this Court dated 01.09.2022. Thus, they should be summoned and punished by exercising the powers under Sections 11 and 12 of the Contempt of Courts Act, 1971.

6.Today, when the matter is taken up, Mr.D.Sadiq Raja, learned Additional Government Pleader for the respondents, has produced an affidavit of compliance, dated 25.06.2025, annexing a copy of the decision taken by the Chief Educational Officer, Tirunelveli, dated 13.11.2024, in which it has been stated that the judgment and order passed by this Court in W.P. (MD) No.14011 of 2022, dated 01.09.2022 has been fully 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.



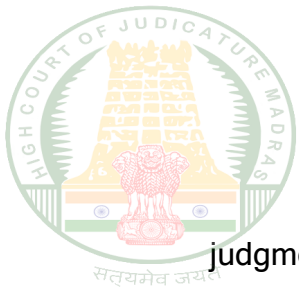
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7.The learned Additional Government Pleader further submits that the respondents have already granted approval to the appointment of the petitioner for the post of B.T.Assistant (English) with effect from 16.07.2012. He further assures this Court that all services and monetary benefits payable by the respondents will be paid in accordance with law in the account of the petitioner within six weeks from today. Thus, he submits that the respondents may be discharged from the present contempt proceedings, as the judgment and order of this Court dated 01.09.2022 has been fully complied with, vide order dated 13.11.2024.

8.Mr.S.Veerapandi Selvaraj, learned counsel for the petitioner submits that he has received a copy of the compliance affidavit of the respondents, dated 25.06.2025 along with a copy of the decision taken by the Chief Educational Officer, Tirunelveli, dated 13.11.2024 and submits that the respondents have made full compliance of the judgment and order passed by this Court in W.P.(MD) No.14011 of 2022, dated 01.09.2022.

9.He further submits that the petitioner's appointment for the post of B.T.Assistant (English) was approved by the respondents with effect from 16.07.2012. Thus, he submits that he has no objection, if the respondents are discharged from the present contempt proceedings at this stage, as the



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judgment and order of this Court dated 01.09.2022 has been fully complied with, vide order dated 13.11.2024 and the present Contempt Petition may also be disposed of. It was further submitted that a positive direction may be given to the respondents to grant all services and monetary benefits payable to the petitioner within the time frame fixed by this Court.

10.Accordingly, in view of the submissions made by the learned counsel for the parties, after perusal of the judgment and order passed in W.P.(MD) No.14011 of 2022, dated 01.09.2022 and in W.A.(MD) No.1601 of 2024, dated 23.09.2024 and after perusal of the order passed by the Chief Educational Officer, Tirunelveli, dated 13.11.2024, this Court satisfied that the direction issued by this Court in W.P.(MD) No.14011 of 2022, dated 01.09.2022 and in W.A.(MD) No.1601 of 2024, dated 23.09.2024 has been fully complied with by the respondents and there is no justification in continuing the present contempt proceedings against the respondents.

11.Accordingly, the Contempt Petition is finally disposed of and the respondents are discharged from the present contempt proceedings at this stage. It is made clear that as per the assurance given by Mr.D.Sadiq Raja, learned Additional Government Pleader, the respondents shall credit all services and monetary benefits in the account of the petitioner in accordance



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with law within a period of six weeks from today without any further delay. The file is consigned to record. No costs.

Index :Yes / No
Internet :Yes / No
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25.06.2025

To

- 1.Joint Director of School Education (Secondary Education),
DPI Compound,
Chennai 600 006.
- 2.Chief Educational Officer,
Tirunelveli District 627 009.
- 3.District Educational Officer (Incharge),
Tirunelveli,
Tirunelveli District.



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SHAMIM AHMED, J.

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