



CONT.P(MD)No.144 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SHAMIM AHMED

CONT.P(MD)No.144 of 2024

C.Lekshmanaswamy

... Petitioner

vs.

1.Karkala Usha,
State of Tamil Nadu,
represented by its Principal Secretary to Government,
School Education Department,
Secretariat, Chennai - 9.

2.G.Arivoli,
Commissioner of School Education,
O/o.Commissioner of School Education,
Nungambakkam, Chennai.

3.P.Kuppusamy,
Joint Director of School Education (Personnel),
O/o.Joint Director of School Education,
Chennai - 600 006.

4.Chinnarasu,
Chief Educational Officer,
Tirunelveli District, Tirunelveli.

... Respondents

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Court to punish the contemnors/respondents for the deliberate and willful disobedience of the order, dated 27.01.2023 passed by this Court in W.P. (MD)No.29003 of 2022.



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For Petitioner :Ms.Asika
for M/s.Ajmal Associates
For Respondents :Mr.F.Deepak
Special Government Pleader

ORDER

Heard Ms.Asika, learned Counsel on behalf of M/s.Ajmal Associates for the petitioner and Mr.F.Deepak, learned Special Government Pleader for the respondents.

2.This is a petition seeking initiation of contempt proceedings against the respondents for violation of the order, dated 27.01.2023, passed by this Court in W.P.(MD)No.29003 of 2022.

3.The petitioner had filed a Writ Petition bearing W.P.(MD)No.29003 of 2022 before this Court with a prayer to quash the impugned orders passed by the first respondent, dated 28.11.2022 and 30.11.2022. This Hon'ble Court vide judgment and order, dated 27.01.2023, had made the following observations in paragraph No.6, which is reproduced hereunder:

“6.In view of the above, this Writ Petition is disposed of with the direction to the respondents to conclude the disciplinary proceedings within a period of three months from the date of receipt of a copy of this order. No costs. Consequently, the connected Miscellaneous Petitions are closed.”



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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.29003 of 2022, dated 27.01.2023, the respondents have not complied with the directions of this Court and have wilfully and deliberately flouting the order passed by this Court and thus, they have committed the contempt of Court and they should be summoned and punished by this Court by exercising the power under Sections 11 and 12 of the Contempt of Court Act.

5.Today, when the matter is being taken up, Mr.F.Deepak, learned Special Government Pleader submits that the order passed by this Court, dated 27.01.2023 has been fully complied with and in this regard, the first respondent has passed an order, dated 07.11.2024, by which, the disciplinary proceedings against the petitioner was concluded and final order was also passed. The copy of the order has been produced before this Court, which is taken on record. The copy of the order, dated 07.11.2024 was also given to the learned Counsel for the petitioner. He further submits that if the petitioner is aggrieved by the order, dated 07.11.2024, he has a remedy before the competent Court of law and further submits that the respondents may be discharged from the present Contempt Proceedings.

6.Ms.Asika, learned Counsel for the petitioner submits that she has also received the copy of the order, dated 07.11.2024 by which, the



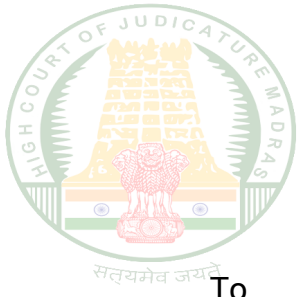
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respondents have concluded the disciplinary proceedings initiated against the petitioner. She also submits that she will challenge the order, dated 07.11.2024 before the competent Court law. Thus, she submits that the respondents have made compliance of the judgment and order, dated 27.01.2023 and that the petitioner has no objection, if the respondents being discharged from the present contempt proceedings at this stage and the present Contempt Petition may be disposed of accordingly.

7.After considering the entire arguments as advanced by the learned Counsel for the parties and after perusal of the order passed by this Court, dated 27.01.2023 and the order passed by the first respondent, dated 07.11.2024, this Court is satisfied that the respondents have made fully complied with the directions issued by this Court and if the petitioner is aggrieved by the order, dated 07.11.2024, he may approach the competent Court of law. Thus, there is no justification to continuing the present contempt proceedings any further. Accordingly, the respondents are 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
cmr

13.03.2025



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To
WEB COPY

- 1.The Principal Secretary to Government,
State of Tamil Nadu,
School Education Department,
Secretariat, Chennai - 9.
- 2.The Commissioner of School Education,
O/o.Commissioner of School Education,
Nungambakkam, Chennai.
- 3.The Joint Director of School Education (Personnel),
O/o.Joint Director of School Education,
Chennai - 600 006.
- 4.The Chief Educational Officer,
Tirunelveli District, Tirunelveli.



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SHAMIM AHMED, J.

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