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CONT.P.(MD)NO.2538 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 17.11.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CONT.P.(MD)No.2538 of 2023 in
W.P.(MD)No.7308 of 2023 &
SUB.Applc.(MD)Nos.211 & 461 of 2025

Dr.I.J.Helena Gracelin

... Petitioner / Petitioner

Vs.

1. Dr.K.Geetha,
Director of Collegiate Education,
College Road,
Chennai – 600 006.

2. Dr. R.Baskaran,
Joint Director of Collegiate Education,
Tirunelveli Region,
Tirunelveli – 627 002.

3. Shri.A.Karthik,I.A.S.,
Principal Secretary to Government,
Higher Education Department,
Chennai -9.

(R-3 is *suo motu* impleaded
vide order dated 14.02.2024)

... Contemnors /
Respondents 1 and 2

Prayer: Contempt petition filed under Section 11 of the Contempt of Courts Act, to punish the respondents 1 and 2 for disobeying the order of this Court in W.P.(MD)No.7308 of 2023 dated 30.06.2023 under Section 11 of the Contempt of Courts Act.

1/6



For Petitioner : Mr.T.A.Ebenezer

For Respondents : Mr.R.Baskaran,
Additional Advocate General,
assisted by,
Mr.T.Amjad Khan,
Government Advocate.

* * *

ORDER

Heard both sides.

2. The writ petitioner filed W.P.(MD)No.7308 of 2023 for releasing her salary arrears. The writ petition was allowed by me on 30.06.2023 in the following terms:-

“2. The petitioner is working as Assistant Professor in the Department of Tamil in the third respondent College. She joined service way back in the year 2009. Unfortunately, due to certain issues, there was delay in approving the appointment. The approval order finally came on May 2022. A reading of the approval order indicates that the petitioner’s appointment was approved with effect from the original date of appointment. However, the petitioner’s salary grant has been released and the petitioner is now only getting her monthly pay. Arrears of salary have not been disbursed.



Therefore, the present writ petition came to be filed.

3. The respondents have filed counter affidavit. In paragraph 10 of the counter affidavit, it has been stated that letter has been sent to the Director of Collegiate Education, Chennai for fund allotment for salary arrears. It appears that there are some financial difficulties in disbursing the fund.

4. I can understand the difficulties of the respondents. But then the entitlement of the petitioner cannot be denied. Therefore, the respondents are directed to disburse the salary arrears of the petitioner as expeditiously as possible.”

Contending that the order of this Court has not been complied with, this contempt petition came to be filed.

3. The learned Additional Advocate General asserts that the order has been complied with in *toto*. The petitioner's counsel admits that a sum of Rs.67,74,655/- had already been received by her. However, the petitioner's counsel asserts that the salary payable has not been fixed. In any event, it has not been made as per the Government Order issued by the Government.



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4. These are not matters that can be adjudicated in a contempt petition. The prayer in the writ petition was for release of arrears and not fixation of the writ petitioner's salary. This issue was not gone into by this Court. Hence, this contempt petition is closed. Liberty is granted to the writ petitioner to file fresh writ petition on the same cause of action. If according to the writ petitioner, her salary has not been properly fixed and she has not got the entire salary arrears, she can always seek adjudication by filing a fresh writ petition. Consequently, connected sub applications are closed.

17.11.2025

NCS : Yes / No
Index : Yes / No
Internet : Yes/ No
PMU

To:

1. The Director of Collegiate Education,
College Road,
Chennai – 600 006.
2. The Joint Director of Collegiate Education,
Tirunelveli Region,
Tirunelveli – 627 002.



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G.R.SWAMINATHAN,J.

PMU

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W.P.(MD)No.7308 of 2023

17.11.2025