



CONT.P(MD)No.477 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 03.03.2025

CORAM

THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

CONT.P(MD)No.477 of 2025

S.Kulanthaisamy

... Petitioner

vs.

Kanagarani
District Educational Officer,
Mandapam,
Now Ramanathapuram,
Ramanathapuram District.

... Respondent

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Court to punish the respondent/contemnor for wilful deliberate disobedience of the order passed by this Court in W.P.(MD)No.1846 of 2020 dated 05.01.2023.

For Petitioner :Mr.V.Panneer Selvam

For Respondent :Mr.F.Deepak
Special Government Pleader



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ORDER

This Contempt Petition has been filed to punish the contemnor/respondent for the disobedience of the order passed by this Court in W.P.(MD)No.1846 of 2020 dated 05.01.2023.

2. Heard Mr.V.Panneer Selvam, learned counsel for the petitioner and Mr.F.Deepak, learned Special Government Pleader for the respondent.

3. The facts of case, led to filing of the Writ Petition bearing W.P. (MD) No.1846 of 2020 and necessary for disposal of same, are as follows:-

The petitioner was appointed as Secondary Grade Teacher in St. Antony High School, Pettai, Tirunelveli District in the year 2004. After obtaining permission from the Management, he has studied B.Lit., B.Ed., and M.A., and obtained degrees. As per the Scheme, for the higher qualification of B.Ed., he is entitled to get one set of incentive increment



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and for M.A., he is entitled to get second set of incentive increment.

Hence, he has made a request to grant incentive increment in the year 2012 itself, but the same was rejected by the second respondent on 28.05.2019, on the ground that without prior permission, he has obtained B.Lit., degree. Challenging the same, the petitioner has filed a writ petition bearing W.P.(MD) No.1846 of 2020.

4. This Court, vide judgment and order dated 05.01.2023, has passed the following directions:-

“5. Considering the limited request made by the learned counsel for the petitioner, this Court directs the third respondent to forward the fresh proposal of the petitioner to the second respondent, for the purpose of increment for acquiring higher qualifications by the petitioner within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the second respondent is directed to pass appropriate orders, on merits and in accordance with law, within a period of four weeks thereafter.”



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5. However, the respondent/the District Educational Officer, Ramanathapuram District, has not complied with the directions issued by this Court in W.P.(MD) No.1846 of 2020, dated 05.01.2023. Hence, the present Contempt Petition.

6. Mr.F.Deepak, learned Special Government Pleader for the respondent submits that in compliance of the order passed in W.P.(MD) No.1846 of 2020, dated 05.01.2023, the respondent has passed an order dated 28.03.2023, rejecting the claim of the petitioner by way of a reasoned and a speaking order. Thus, he submits that the respondent may be discharged from the contempt proceedings, as the order of this Court has been fully complied with by the respondent, vide order dated 28.03.2023. It was further submitted that a copy of the order dated 28.03.2023 has already been given to the petitioner, which has not been challenged so far.



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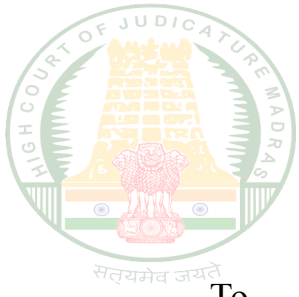
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7. Mr.V.Panneer Selvam, learned Counsel for the petitioner submits that only today, he has received a copy of the order passed by the respondent dated 28.03.2023. Thus, he submits that he may be given liberty to challenge the said order before the competent Court of law.

8. Accordingly, in view of the submissions made by the learned counsel for the parties and after perusal of the order passed by the respondent, dated 28.03.2023, this Court satisfied that the direction issued by this Court in W.P. (MD).No.1846 of 2020, dated 05.01.2023, has been fully complied with by the respondent and no useful purpose will be served in continuing the present contempt proceedings against the respondent. Accordingly, the Contempt Petition is finally disposed of with liberty to the petitioner to challenge the order of the respondent dated 28.03.2023, if he is aggrieved by the same, before the competent Court of law. The respondent is discharged from the present contempt proceedings. No costs. The file is consigned to record.

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

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District Educational Officer,
Mandapam,
Now Ramanathapuram,
Ramanathapuram District.



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SHAMIM AHMED, J.

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