



WEB COPY



Contempt Petition (MD)No.3167 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE SHAMIM AHMED

Contempt Petition (MD)No.3167 of 2024

In

W.P.(MD)No.2006 of 2022

J.K.Suriyanath,
S/o.J.V.Krishnamoorthy,
182A/1, South Perumal Maistry Street,
Madurai - 1.

Petitioner/Petitioner

Vs

Thiru.Jayakumar,
The Joint Director (Vocational),
Directorate School Education,
D.P.I.Compound, College Road,
Chennai - 6.

Contemnor/1st Respondent

PRAYER: Contempt Petition is filed under Section 11 of Contempt of Courts Act, 1971, to punish the Contemnor/1st Respondent for willfully disobeying and not complying with the order passed by this Court in W.P(MD)No.2006 of 2022, dated 19.06.2024.

For Petitioner : Ms.S.Modharshini
For Mr.S.Pon Saravanan

For Respondent : Mr.F.Deepak
Special Government Pleader
Mr.D.Sadiq Raja
Additional Government Pleader



WEB COPY

ORDER

This is a petition seeking initiation of contempt proceedings against the Respondent for violation of the order, dated 19.06.2024 passed by this Court in W.P.(MD)No.2006 of 2022.

2. Heard Ms.S.Modharshini, learned counsel for Mr.S.PonSaravanan, appearing for the Petitioner and Mr.F.Deepak, learned Special Government Pleader & Mr.D.Sadiq Raja, learned Additional Government Pleader for the Respondent.

3. When the matter was taken up on 25.02.2025, this Court passed the following order:

“Heard Ms.S.Modharshini, learned counsel for the petitioner and Mr.F.Deepak, learned Special Government Pleader for the respondent/contemnor.

2. This Court vide order dated 19.06.2024 in W.P.(MD) Nos. 2006 of 2022 and 5192 of 2023 had passed the following order:-

“16. In the result, these writ petitions are allowed and the impugned orders are set aside. The 1st respondent is directed to grant order of approval to the post of vocational instructor and to regularize the petitioner's service from the date of his initial appointment ie., on 24.10.2002, with all attendant monetary benefits within a period of four weeks from the date of receipt of a copy of this order, however,



WEB COPY



Contempt Petition (MD)No.3167 of 2024

subject to the outcome of the pending SLP, if any, in this regard. No Costs. Consequently, connected miscellaneous petitions are closed. “

3. In paragraph Nos.7 and 8 of the affidavit filed in support of this Contempt Petition, it has been clearly stated that the order passed by this Court in W.P.(MD) Nos.2006 of 2022 and 5192 of 2023 dated 19.06.2024 had not been complied with. Thus, the respondent/contemnor has wilfully and deliberately flouted the order passed by this Court and is in contempt of the order of this Court dated 19.06.2024. Thus, he should be summoned and punished by exercising the powers under Sections 11 and 12 of the Contempt of Courts Act, 1971.

4. This Court need not to issue notice to the respondent, as Mr.F.Deepak, learned Special Government Pleader has accepted notice for the respondent.

5. As a last chance, one more opportunity is given to the respondent/contemnor to make compliance of the directions issued by this Court in W.P.(MD) Nos.2006 of 2022 and 5192 of 2023 dated 19.06.2024 on or before the next date fixed, failing which the respondent is directed to appear before this Court in person and explain as to why the aforesaid order has not been complied with.

6. Put up this case 'for orders' on 28.02.2025 before the appropriate Bench. Let a copy of this order be issued to Mr.F.Deepak, learned Special Government Pleader for the respondent for its necessary compliance and information.”



4. When the matter was taken up on 28.02.2025, this Court passed the following order:

“3. In pursuance of the order dated 25.02.2025, Jeyakumar, the Joint Director (Vocational), Directorate School Education, DPI Compound, College Road, Chennai is present in person. He submits that the process of approval, as per the directions issued by this Court in W.P.(MD) Nos.2006 of 2022 and 5192 of 2023, dated 19.06.2024, is under progress and prays two weeks time to make compliance of the order dated 19.06.2024.

4. Mr.F.Deepak, learned Special Government Pleader for the respondent/contemnor assured this Court that the order passed in W.P.(MD) Nos.2006 of 2022 and 5192 of 2023, dated 19.06.2024, will be fully complied with on or before the next date fixed and he also prays two weeks time to make compliance of the order dated 19.06.2024.

5. Accordingly, after considering the request made by Jayakumar, the Joint Director (Vocational), Directorate School Education and also the request made by Mr.F.Deepak, learned Special Government Pleader appearing for the respondent/contemnor, who is present before this Court, as a last chance, one more opportunity is given to the respondent/contemnor to make compliance of the directions issued by this Court in W.P.(MD) Nos.2006 of 2022 and 5192 of 2023 dated 19.06.2024 on or before the next date fixed. The respondent is directed to appear in person before this Court along with compliance affidavit on the next date fixed.

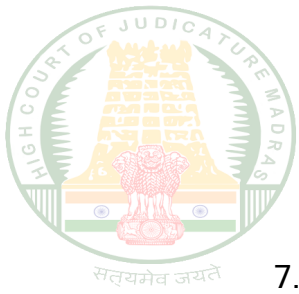


WEB COPY

6. Put up this case 'for orders' on 12.03.2025 before the appropriate Bench. Let a copy of this order be issued to Mr.F.Deepak, learned Special Government Pleader for the respondent for its necessary compliance and information."

5. Pursuant to the order dated 28.02.2025, Mr.Jayakumar, Joint Director (Vocational), Directorate of School Education, DPI Compound, College Road, Chennai - 6, has appeared before this Court and filed a compliance affidavit, enclosing a copy of the order dated 12.03.2025 passed by the Chief Educational Officer, Madurai District. His personal appearance is hereby exempted.

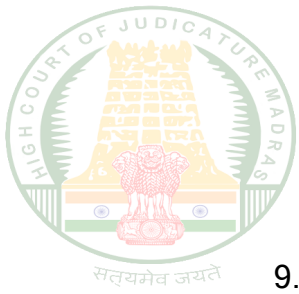
6. Mr.F.Deepak, the learned Special Government Pleader and Mr.D.Sadiq Raja, learned Additional Government Pleader appearing for the Respondent submit that the Respondent has fully complied with the order passed by this Court dated 19.06.2024 in W.P.(MD)No.2006 of 2022 through order dated 12.03.2025 passed by the Chief Educational Officer, Madurai District. A copy of the said order has been taken on record and furnished to the learned counsel for the Petitioner.



WEB COPY

7. Mr.F.Deepak, the learned Special Government Pleader and Mr.D.Sadiq Raja, learned Additional Government Pleader appearing for the Respondent further submit that the order dated 12.03.2025 and the compliance affidavit state that the Petitioner's service as Vocational Instructor (Mechanical) has been regularized with effect from the date of initial appointment, i.e., 24.10.2002, and necessary approval has been granted. As per the Court's order dated 19.06.2024 in W.P.(MD)No.2006 of 2022, the Petitioner will receive all attendant monetary benefits within six weeks from today, after completing due formalities. Thus, the order passed by this Court dated 19.06.2024 in W.P.(MD)No.2006 of 2022 is complied with. Therefore, he prays that the Respondent be discharged from the contempt proceedings.

8. Ms.S.Modharshini, the learned counsel for the Petitioner, submits that she has received the compliance affidavit and a copy of the order dated 12.03.2025 today. She acknowledges that the Respondent has complied with the judgment and order dated 19.06.2024 in W.P.(MD)No.2006 of 2022. She also concurs with the order dated 12.03.2025, which states that the Petitioner will receive all attendant monetary benefits within six weeks, upon completion of requisite formalities. Therefore, she states that she has no objection to discharging the Respondents from the contempt proceedings at this stage.



Contempt Petition (MD)No.3167 of 2024

WEB COPY

9. Considering the submissions made by the learned counsel for the Petitioner, the learned Special Government Pleader, and the learned Additional Government Pleader for the Respondent, and upon perusal of the order dated 12.03.2025 and the compliance affidavit, this Court is satisfied that the Respondent has complied with the judgment and order dated 19.06.2024 in W.P.(MD)No.2006 of 2022. The Respondent has regularized the Petitioner's service as Vocational Instructor (Mechanical) with effect from the date of initial appointment, i.e., 24.10.2002, and granted necessary approval. Further, the Petitioner will receive all attendant monetary benefits within a period of six weeks from today, after completing due formalities, as per the Court's order dated 19.06.2024. In view of the compliance, this Court deems it appropriate to discharge the Respondent from the contempt proceedings at this stage, as no useful purpose would be served by keeping the Contempt Petition pending.

10. In view of the above, the Contempt Petition is disposed of at this stage. The file shall be consigned to record. No costs.

12.03.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr



WEB COPY



Contempt Petition (MD)No.3167 of 2024

SHAMIM AHMED, J.

Nsr

To:
The Joint Director (Vocational),
Directorate School Education,
D.P.I.Compound, College Road,
Chennai - 6.

Contempt Petition (MD)No.3167 of 2024

12.03.2025