



Cont.P.No.3076 of 2025

**Cont.P.No.3076 of 2025**

**S.M.SUBRAMANIAM, J.**  
**AND**  
**C.KUMARAPPAN, J.**

(Order of the Court was made by S.M.SUBRAMANIAM, J.)

Today the matter has been listed under the caption “for being mentioned” at the instance of the learned counsel.

2. The learned counsel would submit that while closing this Contempt Petition on 21.01.2026, this Court has not extracted the order of the Hon’ble Supreme Court.

3. Hence from Paragraph No.3 of the order dated 21.01.2026 made in Cont.P.No.3076 of 2025 shall read as follows:-

**“ 3. The Correspondent, V.D.S.Jain Higher Secondar School, Tiruvannamalai/ respondent herein preferred Civil Appeal No.2051 of 2022 and the Apex Court passed the following orders:-**

***On hearing the learned counsel for parties, without giving in any manner an imprimatur to the view in the impugned judgment, since the consequence for the respondent is the end of his service without back wages and only Provident Fund and gratuity is what he gains and the appellant is a***



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***95 per cent aided institution, we are of the view that it may not call for any interference in view of the facts set out.***

***The appeal is dismissed in terms aforesaid.***

4. Learned counsel for the petitioner would submit that the service benefits due to him is yet to be settled.

5. Learned counsel for the respondent drew the attention of this Court with reference to the proposal submitted by the Correspondent of the School on 11.11.2024 addressed to District Educational Officer (Secondary Grade), Tiruvannamalai.

6. Since the School has already submitted a proposal, the competent Educational authority is to consider the same and take a decision and disburse the eligible dues to the petitioner as per the order of the **Hon'ble Supreme Court dated 11.08.2022 in Civil Appeal No.2051 of 2022.** In this regard, the petitioner is at liberty to approach the competent Educational Authority for early disposal of the proceedings dated 11.11.2024. Accordingly, the Contempt Petition stands closed."



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4. The Registry is directed to carryout the above modifications and issue fresh corrected order copy.

dsa

(S.M.S., J.) (C.K ., J.)  
02.02.2026



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**S.M.SUBRAMANIAM, J.**  
**and**  
**C.KUMARAPPAN, J.**

dsa

**Cont.P.No.3076 of 2025**

**02.02.2026**



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 21-01-2026**

CORAM

**THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM**

**AND**

**THE HON'BLE MR.JUSTICE C.KUMARAPPAN**

**CONT P No. 3076 of 2025**

N.Mahadevan,S/o. Natesa Udayar, No. 53,  
Somavarakula Street, Thiruvannamalai - 606 601.

..Petitioner(s)

Vs

D.S.Rajendra Kumar,The Correspondent, Sri  
V.D.S. Jain Higher Secondary School,  
Tiruvannamalai District, Tiruvannamalai - 606  
601.

..Contemnor(s)

To punish the Respondent for non-compliance of the order passed  
by this Hon'ble Court dated 28.03.2018 in W.A.No. 68 of 2018 which was  
subsequently upheld by the Hon'ble Supreme Court of India in Civil Appeal No.  
2051 of 2022 vide its order dated 11.08.2022

For Petitioner(s): Mr.Harsha Vardanan  
for Mr. Richardson Wilson.

For Contemnor(s): Mr.V.S.Senthil Kumar

**ORDER**

**(Order of the Court was made by S.M.Subramaniam J.)**

Contempt Petition has been instituted to punish the respondent for  
their wilful disobedience of the order of this Court dated 28.03.2018 in  
W.A.No.68 of 2018.

2. This Court has passed the following orders.



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7. We have given our anxious consideration to the contentions of the learned counsel appearing for the parties.

*It is not in dispute that the School Management has not only dispensed with the presence of the delinquent while examining the victim girl, but also, has not furnished the documents and statement of the victim girl, despite the representation submitted by the writ petitioner thrice. When the statement of the victim was not furnished, we are of the considered view that there is violation of natural justice compelling us to hold that the order of dismissal passed by the appellant herein is a disproportionate one. However, taking note of the fact that the writ petitioner has completed 19 years of service, and he was placed on suspension in 2007 and is due to retire by 30.3.2018, we are of the view that in the interest of justice it would be fair if the order passed by the learned Single Judge is modified to the extent that instead of reinstatement of the writ petitioner into service, the punishment would be a compulsory retirement with continuity of service, but, without backwages.*

*Accordingly, the writ appeal is allowed in part. No costs. The connected miscellaneous petitions are closed.*

3. Learned counsel for the petitioner would submit that the service benefits due to him is yet to be settled.

4. Learned counsel for the respondent drew the attention of this Court with reference to the proposal submitted by the Correspondent of the School on 11.11.2024 addressed to District Educational Officer (Secondary Grade),  
6/8



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Tiruvannamalai.

5. Since the School has already submitted a proposal, the competent Educational authority is to consider the same and take a decision and disburse the eligible dues to the petitioner as per the order of this Court dated 28.03.2018. In this regard, the petitioner is at liberty to approach the competent Educational Authority for early disposal of the proceedings dated 11.11.2024. Accordingly, the Contempt Petition stands closed.

**(S.M.S.,J.) (C.K.,J.)**  
**21-01-2026**

Index: Yes/No  
Speaking/Non-speaking order  
Neutral Citation: Yes/No

VSI



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**S.M.SUBRAMANIAM, J.  
AND  
C.KUMARAPPAN, J.**

**VSI**

**CONT P No. 3076 of 2025**

**21-01-2026**