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*Sub.Appl.(OS).No.205 of 2026  
in Cont.P.DR.No.180508 of 2025*

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 13.03.2026**

**CORAM :**

**THE HON'BLE MR.JUSTICE T.VINOD KUMAR**

**Sub.Appl.(OS).No.205 of 2026  
in Cont.P.DR.No.180508 of 2025**

**M.Smaline**

**.. Applicant**

**Versus**

1. Dr.B.Chandra Mohan, IAS,  
Secretary to Government,  
The State of Tamil Nadu,  
Department of School Education,  
Fort St. George,  
Chennai – 600 009.
2. S.Kannappan,  
Director of School Education,  
College Road, Chennai – 600 006.
3. M.K.C.Subhshni,  
Chief Educational Officer,  
Near R.T.O. Office,  
South Paalpannaicherry,  
Nagapattinam District – 611 003.
4. C.Shanthi,  
District Educational Officer,  
Cutcherry Road,  
Mayiladuthurai,  
Nagapattinam District.

**.. Respondents**



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**Prayer :** Sub-Application filed under Section 151 of the Code of Civil Procedure, to grant leave to the petitioner to file the Contempt Petition against the respondents herein.

For Applicant : Mrs.H.Mary Sowmi Rexi

For Respondents : Mr.L.S.M.Hasan Fizal,  
Additional Government Pleader

### **ORDER**

This Sub-Application is filed to grant leave to the applicant to file the Contempt Petition against the respondents herein for not complying with the order of this Court, dated 21.12.2023 in W.P.No.6644 of 2020.

2. Heard Mrs.H.Mary Sowmi Rexi, learned Counsel for the applicant and Mr.L.S.M.Hasan Fizal, learned Additional Government Pleader for the respondents.

3. The applicant contends that the above mentioned Writ Petition was filed by the Correspondent of the school against the respondents therein, in refusing to approve the appointment of the applicant herein as Physical Education Teacher in the school being managed by the Correspondent.



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4. The applicant further contends that this Court, while allowing the said Writ Petition while quashing the proceedings of the third respondent herein i.e., the Chief Educational Officer, had directed the respondent Nos.3 and 4 to pass orders approving the appointment of the applicant herein as Physical Education Teacher in the writ petitioner school with effect from the date of her appointment in the school.

5. The applicant further contends that though the Correspondent of the school had taken steps to get her appointment approved in terms of the directions of this Court by sending the proposal and also approaching the respondents, the respondents had failed to comply with the directions of this Court and therefore, she be granted leave to initiate contempt proceedings against the respondents herein.

6. It is to be noted that the applicant herein is neither a co-petitioner nor a respondent in the Writ Petition filed by the school. Further, on this Court allowing the Writ Petition and directing the respondent Nos.3 and 4 in the Writ Petition to pass orders approving the appointment of the



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applicant from the date of her appointment in the writ petitioner school, the writ petitioner school did not take any steps to initiate contempt against the respondents herein for non-compliance with the order of this Court.

7. Even the applicant, who is the beneficiary of the said order, also did not take any steps in approaching this Court seeking the leave within the limitation prescribed under Section 20 of the Contempt of Courts Act, 1971. Since, the applicant was not vigilant in pursuing the relief granted by this Court being the beneficiary, this Court is of the view that the applicant cannot be granted permission to initiate contempt proceedings against the respondents at this point of time particularly after lapse of limitation period prescribed under Section 20 of the Contempt of Courts Act, 1971.

8. Accordingly, this Sub-Application is devoid of merits and is dismissed.

13.03.2026

Index : yes/no  
Speaking order/Non-speaking order  
Neutral Citation : yes/no  
grs



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**T.VINOD KUMAR, J.**

grs

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13.03.2026