

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.02.2015

Coram

The Honourable **Mr.JUSTICE S.NAGAMUTHU**

Contempt Petition No.2702 of 2014

I.Joshua Samuel,
Junior Assistant,
LMC Higher Secondary School,
Sirkali 609 110.
Nagapattinam District.

... Petitioner

-Versus-

1.Thiru.M.Mohandoss Arivanandam,
Correspondent,
L.M.C. Higher Secondary School,
Sirgazhi 609 101,
Nagapattinam District.

2.Dr.J.Paul, Jacob Jeyakumar,
Head Master,
L.M.C. Higher Secondary School,
Srigazhi 609 110.

... Respondents

Petition filed under Section 11 of the Contempt of Courts Act, praying to punish the respondents for having willfully disobeyed the order of this court dated 19.06.2014 made in M.P.No.2 of 2014 in W.P.No.15919 of 2014.

For Petitioner : Mrs.AL.Ganthimathi

For Respondents : Mr.G.Sankaran for R1
Mr.R.Subramanian for R2

ORDER

Alleging that the interim order of this court dated 19.06.2014 made in M.P.No.2 of 2014 in W.P.No.15919 of 2014 has not been obeyed and, in fact, the same has been violated by the respondents, the petitioner has come up with this contempt petition.

2. In support of this contempt petition, a letter written by the 2nd respondent on 01.07.2014 has been produced [vide page 28 of the Typed set of papers]. In the said letter, it is stated that the interim order of this court shall not be complied with by the respondents.

3. Today, the 1st respondent has filed an affidavit wherein he has stated that the petitioner was relieved as early as on 09.06.2014. Whereas the interim order of stay was granted only on 19.06.2014. It was further stated that he never instructed the 2nd respondent to send the above letter dated 01.07.2014 containing certain words which are not in good taste. But, the 2nd respondent, who is present in court would submit that the letter was written on the instructions of the 1st respondent.

4. At any rate, according to the respondents, the petitioner was relieved as early as on 09.06.2014, whereas the interim order was passed only on 19.06.2014. Now, a miscellaneous petition has also been filed seeking to

vacate the order of stay granted in M.P.No.2 of 2014 in W.P.No.15919.

5. In view of the above, I am inclined to close this contempt petition leaving it open for the parties to agitate the matter before the writ court. The contemnors are discharged. This contempt petition is, accordingly, closed.

Kmk

SD/
DEPUTY REGISTRAR (CLAA)

//Certified to be true copy//

Dated at Madras this the day of 2015.

COURT OFFICER (O.S.)

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SM/CO/06/03/2015

One CC to Mr.G.Sankaran, Advocate, SR.1783

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