

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

AND

THE HON'BLR SRI JUSTICE M.SATYANARAYANA MURTHY

CONTEMPT CASE NO.1613 OF 2013

ORDER: {Per the Hon'ble Sri Justice Ramesh Ranganathan}

This Contempt Case is filed alleging violation of the order passed by this Court in WPMP.No.2282 of2013 in W.P.No.32192 of 2012 dated 24.01.2013.

In the said order, this Court noted the submissions of the counsel for the respondent that the *inter se* seniority, in the teaching cadre, was under consideration in terms of the order of the Hon'ble Apex Court in Civil Appeal No.5579-5586 of 2001 dated 19.10.2010 and no orders are called for in the WPMP. The WPMP was, accordingly, disposed of.

Enclosed to the counter affidavit filed by the respondents is a copy of G.O.Ms.No.64 dated 02.04.2014, whereby the seniority of doctors in various categories, was determined.

While Smt. K.Udayasri, learned counsel for the petitioner, would contend that the manner in which the seniority list is prepared is contrary to law these contentions would not be examined in proceedings under the Contempt of Courts Act, 1971 ("the Act" for brevity), as the scope of examination in such proceedings is only to ascertain whether the order passed by this Court has been violated; if it has been violated, whether the violation is wilful and deliberate; and, if so, the nature and extent of the punishment to be imposed.

It is evident that the order of this Court has not been violated inasmuch as the Government has re-fixed the seniority. We see no reason, therefore, to proceed against the respondents under the Act.

The Contempt Case is, accordingly, closed.

-

(RAMESH RANGANATHAN, J)

(M.SATYANARAYANA MURTHY, J)

13th March 2015

RRB