

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 27-09-2016

CORAM

THE HONOURABLE MR.JUSTICE M.JAICHANDREN

Contempt Petition No.1976 of 2014

R.Subburayan

.. Petitioner

Vs

1.Prajinder Navaniph
The Director of Rural Development,
Panagal Building, Saidapet, Chennai-15.

2.S.Jayanthi,
The District Collector,
Karur District,
Karur.

3.Mrs.Kothai Madheswari
Personal Assistant to
Collector (Development)
Karur District
Karur.

(R3 has been added as a party
respondent as she has interfered
with the administration of Justice
as per seaward principle laid down
in 1991 Mad. 323) namely stranger
can be a party to the contempt).

... Respondents

Prayer: The Contempt petition is filed to initiate appropriate contempt proceedings against the respondents herein for their wilful disobedience of the lawful order of this Court, dated 24.7.2012, made in W.P.No.29086 of 2010 and consequently punish the respondents herein under Sections 11 and 12 of the Contempt of Courts Act, 1971.

For Petitioner : M/s.K.Rajkumar

For Respondents : Mr.V.Jaya Prakash Narayanan
Spl. Govt. Pleader.

ORDER

Heard.

2. This contempt petition has been filed, praying that this Court may be pleased to initiate appropriate contempt proceedings against the respondents herein, for their wilful disobedience of the order of this Court, dated 24.7.2012, made in W.P.No.29086 of 2010, and consequently, punish the respondents under Sections 11 and 12 of the Contempt of Courts Act, 1971.

3. At this stage of the hearing of the contempt petition, it has been brought to the notice of this Court, by the learned counsel, appearing on behalf of the petitioner, in the Contempt Petition, in Cont.P.No.1976 of 2014, that an order had been passed by this Court, on 28.4.2016, in Sub Application No.390 of 2014 in Contempt Petition No.1976 of 2014, relating to the appointment of the petitioner, as a Jeep Driver on a temporary basis.

4. Paragraph No.4 of the said order reads as follows:-

"4. In view of the submissions made by the learned counsels appearing on behalf of the parties concerned, this Court finds it appropriate to direct the District Collector, Karur District, to pass an appropriate order, within a period of one week from the date of receipt of a copy of this order, permitting the petitioner to work as a jeep driver, on a temporary basis, till final orders are passed in the Contempt Petition, in Contempt Petition No.1976 of 2014 and the Writ Petition, in W.P.No.32444 of 2015. The Sub Application is disposed of with the above directions."

5. Based on the order passed by this Court, on 28.4.2016, the petitioner had been appointed as a Jeep Driver, on a temporary basis, by way of the proceedings, passed by the District Collector, dated 16.8.2016. As the order of this Court, dated 28.4.2016, had been complied with, this Court, by an order, dated 29.8.2016, made in Sub Application (OS) No.438 of 2016, had directed the Registry to post the Contempt Petition, in Cont.P.No.1976 of 2014, along with the Writ Petition, in W.P.No.32444 of 2015.

6. Today, when the matter had been taken up for hearing, the learned counsel, appearing on behalf of the petitioner had submitted that, as the order passed by this court, dated 28.4.2016, had been complied with, by the District Collector, Karur, by his Proceedings, dated 16.8.2016, the Contempt Petition may be closed.

7. In view of the said submissions made by the learned counsel, appearing on behalf of the petitioner, the Contempt Petition, in Cont.P.No.1976 of 2014 stands closed. However, it is made clear that it would be open to the Government of Tamil Nadu, to process the proposals, made by the Director of Rural Development Department, Chennai, with regard to the regularisation of similarly placed persons as that of the writ petitioner, notwithstanding the pendency of the writ petition, in

W.P.No.32444 of 2015. The Registry is directed to list the writ petition, in W.P.NO.32444 of 2015, before the appropriate Court, in the normal course. No costs.

Sd/-
JOINT REGISTRAR(OS)

//Certified to be true copy//

Dated at Madras this the day of 2016.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.

SS/CO/23/12/2016

To

1. The Director of Rural Development,
Panagal Building, Saidapet, Chennai-15.
2. The District Collector,
Karur District,
Karur.
3. Personal Assistant to
Collector (Development)
Karur District
Karur.
4. The Section Officer,
Writ Section, High Court, Madras-104

One CC to Government Pleader, Sr.No.12554/2016.

One CC to Mr.K.Rajkumar, Advocate, Sr.No.12537/2016.