

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.09.2016

CORAM:

THE HON'BLE MR.JUSTICE **A.SELVAM**
AND
THE HON'BLE MR.JUSTICE **P.KALAIYARASAN**

Cont.P.No.2493 of 2015

K.Krishnasamy ... Petitioner

vs.

1.Mr.S.Vijayakumar
The Secretary to the Government
of Tamil Nadu,
Animal Husbandry, Dairying & Fisheries
Department,
Fort St.George, Chennai-9.

2.Mr.T.Abraham,
The Commissioner and Director,
Animal Husbandry and Venterinary Services,
DMS Building, Chennai-600 006

3.Mr.T.Tamilselvan
The Regional Joint Director,
Animal Husbandry Department,
Coimbatore.

4.Mr.S.Palanichamy,
The Assistant Director,
Animal Husbandry Deparrtment,
Thiruppur. ... Respondents

Contempt petition filed under Section 2(B) read with
Section 11 of the Contempt of Courts Act, 1971, read with
Article 215 of the Constitution of India, praying to punish
the respondents for their act of committing contempt of
Court by disobeying the order of this Division Bench, dated
05.11.2013, made in W.A.No.491 of 2012.

For Respondents : Mr.Mr.K.Venkatramani,A.A.G.
Assisted by Mr.R.Rajeswaran,Spl.G.P.

ORDER

(Order of the Court was made by **A.SELVAM, J.**)

This contempt petition has been filed praying to punish the respondents/contemnors, since they failed to comply with the specific direction given in the order passed in W.A.No.491 of 2012.

2. It is averred in the petition that the petitioner herein has filed a writ petition in W.P.No.17559 of 2009, on the file of this Court, wherein, it has been specifically prayed to regularize his service. The learned Single Judge has dismissed the W.P.No.17559 of 2009. Against the dismissal order, W.A.No.491 of 2012 has been preferred on the file of this Court.

3. The Division Bench of this Court, after considering the divergent contentions raised on either side, has allowed W.A.No.491 of 2012, and thereby set aside the order passed by the learned single Judge and ultimately directed the respondents therein to regularize the service of the petitioner. Since the respondents have failed to regularize the service of the petitioner, the present contempt petition has been filed.

4. As per endorsement made by the learned counsel appearing for the petitioner, the first respondent is deleted from the proceedings, since he has been transferred to some other Department.

5. The respondents 2 to 4/contemnors 2 to 4 are present.

6. On the side of the respondents 2 to 4/contemnors 2 to 4, G.O.Ms.No.144, dated 26.09.2016, is submitted, wherein, it has been clearly stated that the service of the petitioner/appellant has been regularized.

7. Considering the fact that the service of the petitioner/appellant has already been regularized, this Court is of the view that action need not be taken against the contemnors 2 to 4 and with the above observation, the contempt petition is liable to be disposed of.

In fine, this contempt petition is disposed of on the basis of the observation made earlier.

SD/
JOINT REGISTRAR(OS)

msh

//Certified to be true copy//

Dated at Madras this the day of 2016.

COURT OFFICER(O.S.)

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SS/CO/14/10/2016

TO

- 1.The Secretary to the Government
of Tamil Nadu,
Animal Husbandry, Dairying & Fisheries
Department,
Fort St.George, Chennai-9.
- 2.The Commissioner and Director,
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DMS Building, Chennai-600 006
- 3.The Regional Joint Director,
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Coimbatore.
- 4.The Assistant Director,
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