

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 4/4/2016

C O R A M

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

Contempt Petition No.2641 of 2015

T.Subramani

Petitioner

Vs

1. Thiru.A.V.Ravi
The Chief Engineer/Personnel
Tamil Nadu Generation & Distribution
Corporation Limited
8th Floor N.P.K.R.R.Maligai
144 Anna Salai
Chennai 600 002.

2. Thiru.R.Shanmugavadivelu
The Superintending Engineer/P & A
TANGEDCO Ltd
Mettur Thermal Power Plant - II
Mettur Dam
Salem District 636 406.

Respondents

Petition filed under Section 11 of the Contempt of Courts Act to punish the respondents for his willful disobedience in not complying with the order of this Court dated 16/10/2015 in M.P.No.2 of 2015 in W.P.No.33403 of 2015.

For petitioner ... Mr.M.Vijaya Ragavan

For respondents ... Mrs.R.Varalakshmi

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O R D E R

The petitioner, aggrieved against the impugned order, dated 9/10/2015, passed by the first respondent, came forward to file the writ petition stating that the petitioner's daughter is

studying +2 course and since the transfer has been made during the middle of the academic year is in utter violation of the relevant guidelines, prayed for an appropriate orders.

2. This Court, vide interim order, dated 16/10/2015, has recorded the fact that no person has been posted in the said place, granted an interim order of status-quo, till 14/12/2015. Alleging violation of the said order, the petitioner came forward to file this Contempt Petition.

3. The learned counsel appearing for the petitioner would submit that the interim order was intimated to the respondents on the same day and however, relieving order came to be served only on 19/10/2015, which is in utter violation of the guidelines and hence prays for appropriate orders.

4. Per contra, the learned Counsel appearing for the respondents would submit that the petitioner has been relieved, vide proceedings of the Office of the Stores Controller Central Stores, MTPS-II/Mettur Dam 6, dated 16/10/2015 and Mr.S.Kulandaisamy, has also joined the said post and further, the writ petition itself came to be dismissed, on merits and hence prays for closure of the contempt petition.

5. This Court has considered the rival submissions made on either side.

6. The fact remains that as per the proceedings of the Stores Controller Central Stores, MTPS-II/Mettur Dam -6, dated 16/10/2015, the petitioner was relieved from the duty on 16/10/2015. Though the said order came to be served on 19/10/2015, the fact remains that the petitioner has been relieved and he has joined in the transferred post and Mr.Kulandaisamy has joined in the post in which he got the relieving order and that apart, the writ petition also came to be dismissed on merits, no adjudication is necessary in prosecuting the matter further.

7. Accordingly, this Contempt Petition is closed.

SD/-
DEPUTY REGISTRAR (OS)

mvs

//Certified to be true copy//

Dated at Madras this the day of 2016.

सत्यमेव जयते

COURT OFFICER (O.S.)

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CO/25/04/2016

One CC to M/S.Neethimozhi, Advocate, Sr.No.4476/2016.
One CC to M/S.R.Varalakshmi, Advocate, Sr.No.4477/2016.