

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **29.02.2016**

CORAM:

THE HONOURABLE MR.JUSTICE **T.RAJA**

Cont.P.No.2631 of 2014

P.Vadivel

.. Petitioner

Vs

M.Rajamani
The Chief Engineer
Highways Department
Chepauk, Chennai 5

.. Respondent

Petition filed under Section 11 of the Contempt of Courts Act to punish the respondent for willfully disobeying the order dated 7.1.2011 made in W.P.No.5996 of 2008.

For Petitioner : Mr.A.R.Nixon

For Respondent : Mrs.P.Kavitha, G.A.

ORDER

This Contempt Petition has been filed complaining disobedience of the order passed by this Court in Writ Petition No.5996 of 2008 dated 7.1.2011.

2.When the matter is taken up today, Mr.A.R.Nixon, learned counsel for the petitioner would submit that inspite of the direction issued by this Court to the respondent to dispose of his appeal dated 12.2.2008, the same has not been properly done.

3. In reply, the learned Government Advocate appearing for the respondent, drawing the attention of this Court to the proceedings dated 24.10.2011 that has been signed on 24.1.2013, submitted that the request of the petitioner for reappointment has already been considered and turned down on the ground that he has produced the bogus certificate. She would further submit that the right of reemployment is available only to those persons who were terminated or stopped from service for non-availability of vacancies. But, in the present case, since the petitioner has produced the bogus certificate, he is not entitled for re-employment.

4. The learned counsel for the petitioner would further submit that although the order is stated to have been issued on 24.10.2011, it has been signed only on 24.1.2013. But, this is not in consonance with the direction issued by this Court.

5. The learned Government Advocate, in reply, would submit that the order dated 24.10.2011 has been earlier issued to the petitioner, however, the same order has been signed on 29.1.2013, pursuant to the pre-contempt notice issued by the petitioner's counsel and issued once again to the petitioner.

6. Considering the rival submissions made on either side, this Court is not able to find any merit in the Contempt Petition. Accordingly, the Contempt Petition is dismissed. However, it is open to the petitioner to work out his remedies, if any, as per law.

29.02.2016

Index:Yes/no

ajr
To

Mr.M.Rajamani
The Chief Engineer
Highways Department
Chepauk, Chennai 5

T.RAJA,J.

ajr

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