

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2016

CORAM

THE HONOURABLE MR. **JUSTICE M.M.SUNDRESH**

Contempt Petition No.157 of 2016

K.K.Ashok

..Petitioner

Vs

1. Thiru.Palanisamy,
Joint Director,
Higher Secondary,
DPI Compound,
College Road,
Chennai - 600 006,

2. Thiru.J.Dakshinamoorthy,
District Educational Officer,
Musiri-621 211.

... Respondents

Prayer: Contempt under Section 11 of the Contempt of Courts Act, 70/71 praying to punish the respondents for the wilful and deliberate disobedience of the Orders of this Court dated 11.9.2015 in W.P.No.8796 of 2015.

For Petitioner : Ms.Dakshayani Reddy

For Respondent : Mrs.P.Rajalakshmi, Govt. Advocate

ORDER

Alleging that the order dated 11.9.2015 made in W.P.No.8796 of 2015 has been wilfully disobeyed by the respondents, the present contempt application has been filed.

2. Learned counsel appearing for the petitioner has made a submission that after the order was passed by this Court, a new appointment has been made by the respondents.

3. Learned Government Advocate based upon counter affidavit filed by the respondents submitted that the appointment has been made during the pendency of Writ

Petition on 6.7.2015. Therefore, the said appointment cannot be construed as wilful obedience of the Order dated 11.9.2015 passed by this Court.

4. This Court finds that the submission made by the learned Government Advocate merits consideration. The order passed by this Court was only with reference to the new appointment and not the one, which was made already. If the petitioner is aggrieved against the appointment made during the pendency of the writ petition, the remedy is open to him to challenge the same in the manner known to law on the effect of the said order qua the appointment made. The contempt petition is closed with the above observation.

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SD/-
DEPUTY 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.

CO/10/03/2016

One CC to Government Pleader, SR.2246

One CC to Mr.Dakshayani Reddy, SR.2195

To

1. Joint Director,
Higher Secondary,
DPI Compound,
College Road,
Chennai - 600 006,

2. District Educational Officer,
Musiri-621 211, Trichy.