



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2016

CORAM:

WEB COPY THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

Cont.P(MD)No.24 of 2016

Kanniyakumari District General Workers Union,
(Registration No.6/KKM),
Rep. By its General Secretary
P.Sukumaran

... Petitioner

Vs.

Mr.Lakshminarayanan,
The Labour Officer,
(Social Security Scheme),
Nagercoil,
Kanniyakumari District.

... Respondent

Prayer: Contempt Petition is filed under Section 11 of the Contempt of Courts Act, to punish the respondent for his willful disobedience of the orders of this Court made in W.P(MD)No.9286 of 2015, dated 10.06.2015.

Prayer in WP(MD). 9286/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Mandamus to direct the respondent to accept the Applications from the members submitted by the petitioner Trade Union for registration, renewal, claim petitions etc by considering the petitioners representation dated 10.05.2015 within the period stipulated by this Honourable Court.

For Petitioner : MrA.Haja Mohideen

For Respondent : Mr.S.Satheeshkumar,
Additional Government Pleader

ORDER

This Contempt Petition is filed for the disobedience of the order of this Court in W.P(MD)No.9286 of 2015, dated 10.06.2015.

2. The Writ Petition in W.P(MD)No.9286 of 2016 was filed for a Mandamus directing the respondents to accept the applications submitted by the petitioner Trade Union for registration, renewal, claim petitions etc., by considering the representation of the petitioner, dated 10.05.2015, within a stipulated time. In which, this Court had passed an order in paragraph No.4 as



follows:

"...4. In view of the limited scope of the prayer, the respondent is directed to consider the representation of the petitioner, dated 10.05.2015 on merits and in accordance with law, after giving notice to the interested parties, if any, and pass appropriate orders within a period of four months from the date of receipt of a copy of this order..."

3. It is seen that four months time was granted from the date of receipt of a copy of the order and within the time granted by this Court, ie., on 30.10.2015 the respondent had passed an order, however, rejecting the permission to the Petitioner Trade Union with respect to renewal, claim petitions etc.

4. The said order was passed as early as on 30.10.2015 and the Contempt Petition was subsequently filed on 17.12.2015. The petitioner can at the most challenge the order, dated 30.10.2015 and cannot maintain contempt petition.

5. In view of the above, there is no contempt made out. Hence, this Contempt Petition is closed.

Sd/-

Assistant Registrar(Crl.side)

/True copy/

Sub Assistant Registrar

To

Mr.Lakshminarayanan,
The Labour Officer, (Social Security Scheme),
Nagercoil, Kanniyakumari District.

+one cc to The Special Government Pleader in SR.No. 12909

CSL/JGB-DP/18.03.2016/2P/3C

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