

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

Contempt Case No.1931 of 2015

ORDER: (Per the Hon'ble The Acting Chief Justice Ramesh Ranganathan)

This contempt case is filed alleging violation of the order passed by the Division Bench in W.A.Nos.1795 of 2013 and 1135 of 2014 dated 08.08.2014.

All the six petitioners herein had earlier filed C.C.No.1982 of 2014 alleging violation of the order passed in W.A.Nos.1795 and 1135 of 2014 dated 08.08.2014. The Division Bench, by its order in C.C. No.1982 of 2014 dated 13.03.2015, noted the submission of the learned Government Pleader, appearing on behalf of the respondent, that on 19.11.2014 itself the claim of the petitioners had been rejected, since they did not fulfil the conditions prescribed in G.O.Ms.No.212 dated 25.11.1993. The Division Bench had also noted the submission of Sri G.Vidya Sagar, learned Senior Counsel appearing on behalf of the petitioners, that, though the petitioners' claim had been rejected, it was not clear why the respondents had stated that the petitioners did not fulfil the conditions prescribed in the said G.O. The submission, urged on behalf of the respondent, that the respondent would furnish reasons to the petitioners within a period of three weeks from the date of the order, was also recorded and accepted by the Division Bench which, thereafter, held that nothing further survived and, accordingly, closed the said contempt case while making it clear that the said order would not preclude the petitioners from taking appropriate remedy, if any, against the order dated 19.11.2014.

On the ground that the reasons, subsequently furnished for passing the order of rejection dated 19.11.2014, fell foul of the earlier order of the Division Bench in W.A.Nos.1795 and 1135 of 2014 dated 08.08.2014, the appellants therein have again invoked the contempt jurisdiction of this Court.

The petitioner in a contempt case is merely an informant who brings to the notice of the Court, violation of its orders by the respondent. Thereafter, the nature of action to be taken against the contemnor is for the Court to decide in accordance with the provisions of the Contempt of Courts Act. The petitioner cannot claim, as of right, to have the contemnors punished. It is for this reason that no appeal is also provided against an order dismissing the contempt case.

As the earlier contempt case, filed by the petitioners in C.C.No.1982 of 2014, was closed by order dated 13.03.2015, we see no reason to entertain a second contempt case for violation of the very same order of the Division Bench, that too at the behest of the petitioners herein who were also the petitioners in C.C.No.1982 of 2014.

The contempt case as filed is wholly misconceived and is, accordingly, dismissed. Needless to state that the petitioners are at liberty to avail their legal remedies in accordance with the observations made by the earlier Division bench in C.C.No.1982 of 2014 dated 13.03.2015. Contempt Applications pending, if any, shall also stand dismissed. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

(CHALLA KODANDA RAM, J)

25th November, 2016
JSU

**THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM**



Contempt Case No.1931 of 2015

Date: 25.11.2016

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