

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 14.09.2016

CORAM

THE HONOURABLE MR. JUSTICE S.MANIKUMAR
AND
THE HONOURABLE MR. JUSTICE N.AUTHINATHAN

Cont.P.No.238 OF 2017

Satish Kumar Ranajan

.. Petitioner

Versus

1. Mr.A.K.Agarwal,
Divisional Railway Manager,
Divisional Office,
Personnel Branch,
Southern Railway,
Tiruchirappalli.

2. Mr.M.Prakash,
Divisional Personnel Officer,
Personnel Office,
Personnel Branch,
Southern Railway,
Tiruchirappalli.

.. Respondents

Prayer: This Contempt Petition filed under Section 11 of the Contempt of Court Act, 70/71 to punish the respondents for having committed contempt of Court for disobeying the order, dated 21.09.2016, made in W.P.No.239 of 2016.

For Petitioner

: Mr.Syed Sibghatulla

For Respondents

: Mr.Radhakrishnan, SC
for Mr.P.T.Ramkumar

ORDER

(Order of this Court was delivered by **S.MANIKUMAR, J.**)

After considering the rival contentions of the parties, while dismissing the writ petition in W.P.No.239 of 2016, filed by the Divisional Railway Manager, Divisional Personnel Office, Southern Railway, Tiruchirapalli, thus confirming the order of the Central Administrative Tribunal, Madras Bench, Chennai, made in O.A.No.749 of 2015, dated 07.08.2015, we directed the writ petitioners to examine the medical fitness of the 1st respondent/contempt petitioner, under Class C-2, within a period of one month, from the date of passing of the order and if he is found fit, issue an order of appointment, within a period of one month, thereafter. Alleging wilful disobedience of the order, made in W.P.No.239 of 2016, dated 21.09.2016, this contempt petition is filed.

2. Today, Mr.T.Sankaran, Divisional Personnel Officer, Tiruchirappalli, is present in the Court. His future appearance is dispensed with.

3. Based on the letter, dated 13.09.2017, issued by the

abovesaid Officer addressed to the contempt petitioner, copy of which, furnished to Mr.Syed Sibghatulla, learned counsel on record, appearing for the petitioner, Mr.Radhakrishnan, learned Senior Counsel for the respondents submitted that in compliance with the order of this Court made in W.P.No.239 of 2016, dated 21.09.2016, a Medical Board is constituted by the Chief Medical Director, Southern Railway, Chennai, for the purpose of conducting re-medical examination, as directed by this Court. He further submitted that the abovesaid letter, dated 13.09.2017, would be sent to the contempt petitioner, by registered post, enabling him, to appear on 25.09.2017 at 10.00 Hours, at Railway Hospital, Perambur, for re-medical examination. Submission is placed on record.

4. However, this Court makes it clear that for any reason, the registered letter, does not reach the contempt petitioner, well in advance, enabling his presence, the Divisional Personnel Officer, Tiruchirappalli, who is present in Court, is directed to constitute a Medical Board, by giving sufficient time.

5. Mr.Syed Sibghatulla, learned counsel appearing for the

petitioner is also directed to take steps for prompt intimation.

S.MANIKUMAR, J.
AND
N.AUTHINATHAN, J.

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6. Respondents are directed to implement the directions made in W.P.No.239 of 2016, dated 21.09.2016, in letter and spirit.

7. In view of the above submission, the Contempt Petition is disposed of. For reporting compliance, post on 09.10.2017. On the said date, the respondents are directed to file an affidavit.

(S.M.K., J.) (N.A.N., J.)
14.09.2017

Note to Office: Issue today
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Cont.P.No.238 of 2017