

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 29.01.2018

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

Cont.P.No.1643/2017 in WP No.18402 of 2015

S.Ganesh Bose

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Petitioner

Versus

1. Mr.Ravi Chandran,
The Executive Engineer,
Public Works Department,
Building Maintenance – Medical Works,
Chepauk, Chennai 600 005.
2. Mr.Ponnambala Namasivayam,
The Dean,
Government Stanley Medical College and Hospital,
Chennai 600 001

Respondents

Contempt petition filed under section 11 of the Contempt of Courts Act to punish the respondents for their willful and intentional failure to disobeying the order of this Court dated 25.06.2015 made in WP No.18402 of 2015.

For Petitioner : M/s.Law Vision
For Respondent : Mr.M.Elumalai
Government Advocate

ORDER

This Court vide order dated 25.06.2015 passed in WP No.18402 of 2015, merely directed the respondents 2 and 4 to consider

and pass orders on the representation dated 10.04.2015 submitted by the petitioner, in accordance with law within a stipulated period of time and the grievance expressed by the petitioner is that in compliance of the order, no such communication has been sent and only after obtaining information under the Right to Information Act, the petitioner has become aware as to the grant of permission to run a staff canteen in favour of 3rd party.

2. The learned counsel appearing for the petitioner would submit that in the light of the earlier stand taken by the petitioner that once the petitioner has vacated the concerned place, the same will be kept as vacant; but the 3rd respondent has been accommodated for the purpose of running a staff canteen and hence, prays for appropriate orders.

3. Per contra, the learned counsel appearing for the respondents would submit that the order passed by this Court has been complied with and the petitioner is having any grievance, he has to challenge the proceeding in accordance with law.

4. This Court has considered the rival submissions and this Court

merely directed the respondents 2 to 4 to consider and pass orders based on the representation submitted by the petitioner in accordance with law within a stipulated time and it has also been complied with. Now, the petitioner expressed his grievance that from the place in which the petitioner has been vacated, somebody has been accommodated to run a staff canteen.

5 In the light of the above, this Court is of the considered opinion that the remedy is open to the petitioner to make a challenge to the letter of the Personal Assistant, Technical and Public Information Officer, Public Works Department, Chepauk, Chennai-5 dated 06.07.2016 bearing letter No.Po/tha/Tha.Aa.Oo.Sa/1068/2016 in accordance with law before the competent forum.

6. With the above observation, the contempt petition is closed.

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29.01.2018

Index : No

Internet : Yes
rka/sk

M.SATHYANARAYANAN.,J
rka/sk

To

1. Mr.Ravi Chandran,
The Executive Engineer,
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Building Maintenance – Medical Works,
Chepauk, Chennai 600 005.

2. Mr.Ponnambala Namasivayam,
The Dean,
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