

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(CONTEMPT JURISDICTION)

FRIDAY, THE 20TH DAY OF JULY, 2018

THE HON'BLE MR.JUSTICE T.RAJA
SUB.APPLICATION NOS.253 to 255 of 2018

IN

CONTEMPT SECTION Nos.1954 to 1956 of 2017

- 1 DR.V.HARIDAS,
S/O.M.VELLINGIRI, NO.2/543 EASWARI ILLAM,
KATHIRNAICKENPALAYAM, VADAMADURAI POST,
COIMBATORE 641 017.
...PETITIONER IN SUB.APPL.NO.253/2018
- 2 DR. K. DHANAKODI,
S/O. S. KALIAPPAN , 6/125 , KOLLAPATTI
PALLAKKAPALAYAM POST , KUMARAPALAYAM TALUK,
NAMAKKAL DISTRICT 637 303.
..PETITIONER IN SUB.APPL.NO.254/2018
- 3 R. KUMARESAN,
S/O. RANGASAMY, PANCHANGA AYYAN THOTTAM
RAVATHUR POST , IRUGUR VIA , COIMBATORE 641
103. ...PETITIONER IN SUB.APPL.NO.255/2018

-Vs-

- 1 DR.KALA,
THE REGIONAL JOINT DIRECTOR OF COLLEGIATE
EDUCATION, RACE COURSE ROAD COIMBATORE
REGION, COIMBATORE.
- 2 K.S.GITA,
THE CORRESPONDENT, K.S.G.COLLEGE OF ARTS AND
SCIENCE, S.F.NO.93 KAMARAJ ROAD,
UPPILIPALAYAM, COIMBATORE 641 015.
...RESPONDENTS IN ALL SUB.APPLICATIONS

Sub Application filed under Section 151 of CPC praying this Court be pleased to reopen the contempt petition in cont.P.No.1954 & 1955 & 1956 of 2017 which was closed on 10/01/2018 respectively.

The above Sub Applications coming on this day before this Court for hearing in the presence of M/s.B.Ravi Advocate for the Petitioners in all sub applications herein; and of Mr.C.Munusamy, Special Government Pleader Assisted by Mr.M.Elumalai Government Advocate for R1 and Mr.Siddhartha Puthoor for R2 in all sub applications herein; and upon reading the Applications and affidavit of Dr.V.Haridas, in Sub.A.No.253/2018 & Dr.K.Dhanakodi in Sub.A.No.254/2018 & R.Kumaresan in Sub.A.No.255/2018 filed herein ; the Court made the following order:-

" Mr.C.Munusamy, learned Special Government Pleader assisted by Mr.M.Elumalai, learned Government Advocate appearing for the 1st respondent, namely, the Regional Joint Director of Collegiate Education, Coimbatore Region, Coimbatore, submitted that when this Court has passed an order on 09.07.2018 issuing bailable warrant directing the Commissioner of Police, Coimbatore, to execute the warrant through the jurisdictional police for the appearance of the 2nd respondent/contemnor before this Court on 23.07.2018 at 2.15 p.m., warrant has been wrongly issued by the Registry not only against the real contemnor/2nd respondent, but also against the formal party,

namely, Dr.Kala/1st respondent. In view of the arrest warrant issued mistakenly by the Registry, the police also has gone to the office of the 1st respondent and making all arrangements to secure the presence of Dr.Kala to be produced before this Court on 23.07.2018 at 2.15 p.m..

2. But this Court has never meant in the order dated 09.07.2018 to secure the presence of the 1st respondent, namely, Dr.Kala, The Regional Joint Director of Collegiate Education, Race Course Road, Coimbatore Region, Coimbatore. It has been specifically stated in paragraph 11 which is given as under :

"In that view of the matter, this Court is constrained to issue Bailable Warrant directing the Commissioner of Police, Coimbatore, to execute the warrant through the jurisdictional police for her production/appearance before this Court on 23.07.2018 at 02.15 p.m."(viz. Ms.K.S.Gita)

Therefore, the jurisdictional police is hereby directed to secure the presence of the 2nd respondent Contemnor, namely, Ms.K.S.Gita, Correspondent, K.S.G. College of Arts and Science, S.F.No.93, Kamaraj Road, Uppilipalayam, Coimbatore-641 015 alone. Therefore, the warrant issued by the Registrar General of this Court is hereby recalled as far as Dr.Kala is concerned.

3. The Registrar General is also directed to recall the warrant issued against Dr.Kala forthwith. Post the matter on 23.07.2018 at 2.15 p.m."

WITNESS THE HON'BLE MS.INDIRA BANERJEE, THE CHIEF JUSTICE OF HIGH COURT AT MADRAS, AS AFORESAID, THIS THE 20TH DAY OF JULY 2018.

SD/-
JOINT REGISTRAR(OS)

//Certified to be true copy//

Dated at Madras this the day of 2018.

COURT OFFICER(O.S.)

from 25th day of September 2008 the Registry is issuing Certified copies of the Orders/Judgments/Decrees in this format.

RA/20/07/2018

SUB APPLICATION NO(OS).253 TO 255 OF
2018

IN

CONTEMPT PETITION NO.1954 TO 1956 OF
2017

THE HON'BLE MR.JUSTICE T.RAJA

ORDER

DATED :20/07/2018

FOR APPROVAL :20/07/2018

APPROVED ON :20/07/2018

To:

1.DR.KALA,
THE REGIONAL JOINT DIRECTOR OF
COLLEGIATE EDUCATION, RACE COURSE
ROAD COIMBATORE
REGION, COIMBATORE.

2.K.S.GITA,
THE CORRESPONDENT, K.S.G.COLLEGE OF
ARTS AND
SCIENCE, S.F.NO.93,
KAMARAJ ROAD, UPPILIPALAYAM,
COIMBATORE 641 015.

3.The Commissioner of Police,
Coimbatore.

4.The Public Prosecutor,
High Court of Madras.