

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.03.2019

CORAM:
THE HONOURABLE MR. JUSTICE S.VAIDYANATHAN

Contempt Petition No.281 of 2018

Sidhhartha, V.

... Petitioner

vs.

1. Dr.J.Kumar,
Registrar,
Anna University,
Guindy,
Chennai 600 025.

2. Dr.G.V.Uma,
The Controller of Examinations,
Anna University,
Guindy,
Chennai 600 025.

3. Dr.K.Karthiravan,
Principal,
Easwari Engineering College,
Bharathi Salai,
Ramapuram,
Chennai 600 089.

... Respondents

Contempt Petition filed under Section 11 of the Contempt of Courts Act, seeking to punish the Respondent for wilful disobedience and violation of the order dated 25.07.2018 passed by this Court in W.P.No.13735 of 2018.

For Petitioner : Mr.V.R.Mukunda Kumar

For Respondent : Mrs.Narmadha Sampath,
Addl. Advocate General,
assisted by Mr.L.P.Shanmugasundaram

ORDER

This Contempt Petition is filed seeking to punish the Respondent for wilful disobedience of the order dated 25.07.2018 passed by this Court in W.P.No.13735 of 2018.

2. The only grievance of the Petitioner is that instead of issuing Degree Certificate to him, the Respondent/Anna University has issued Provisional Certificate and to that extent, the order of this Court has not been complied with.

3. Mrs.Narmadha Sampath, learned Additional Advocate General appearing for the Respondent/Anna University, submitted that a Division Bench of this Court has passed an order on the assumption that the Respondent/Anna University has given No Objection Certificate (NOC) to the Petitioner herein, but the fact remains that no such NOC has been given to the Petitioner and therefore, based on the said error apparent on the face of the order, a Review Application vide No.57 of 2018 has been filed to review the order under Contempt, which is pending before this Court. She further submitted that in the event of issuance of No Objection Certificate to the Petitioner by the Respondent/Anna University, there is a possibility of the Petitioner fleeing away from the Country on receipt of the subsequent Degree Certificate. However, in

order to show bonafide and to avoid Contempt Proceedings, the Respondent/University has issued Provisional University to the Petitioner, without prejudice to their rights and the outcome of the Review Application No.57 of 2018.

4. In reply, learned counsel for the Petitioner submitted that the Petitioner is employed in Chennai and there is no chance for the Petitioner to go out of the country.

5. Taking note of the above submissions made on either side, this Court holds that without prejudice to the rights of the parties, the Petitioner shall apply for the Degree Certificate and on such Application being made, the Respondent/Anna University shall issue Degree Certificate to the Petitioner by making an endorsement that has been made in the Provisional Certificate.

6. In addition to the above, the Respondent/University shall also note down the Petitioner's details, such as his Passport and other particulars, so that, in case the Review Application is allowed, intimation can be given to the Passport authorities for tracking the Petitioner and bring him back to the Country.

7. If the Petitioner intends to travel abroad during the pendency of the Review Application, he shall intimate the Respondent/Anna University about his place of stay therein, details of employment, etc. It is needless to mention that the Petitioner shall also inform his present employment details to the Respondent/Anna University, so that, the outcome of the Review Application shall be intimated by the Respondent/Anna University to the Petitioner's employer.

The Contempt Petition is closed.

18.03.2019

Index : Yes/No
Speaking Order : Yes/No

(aeb)

Note to Registry:

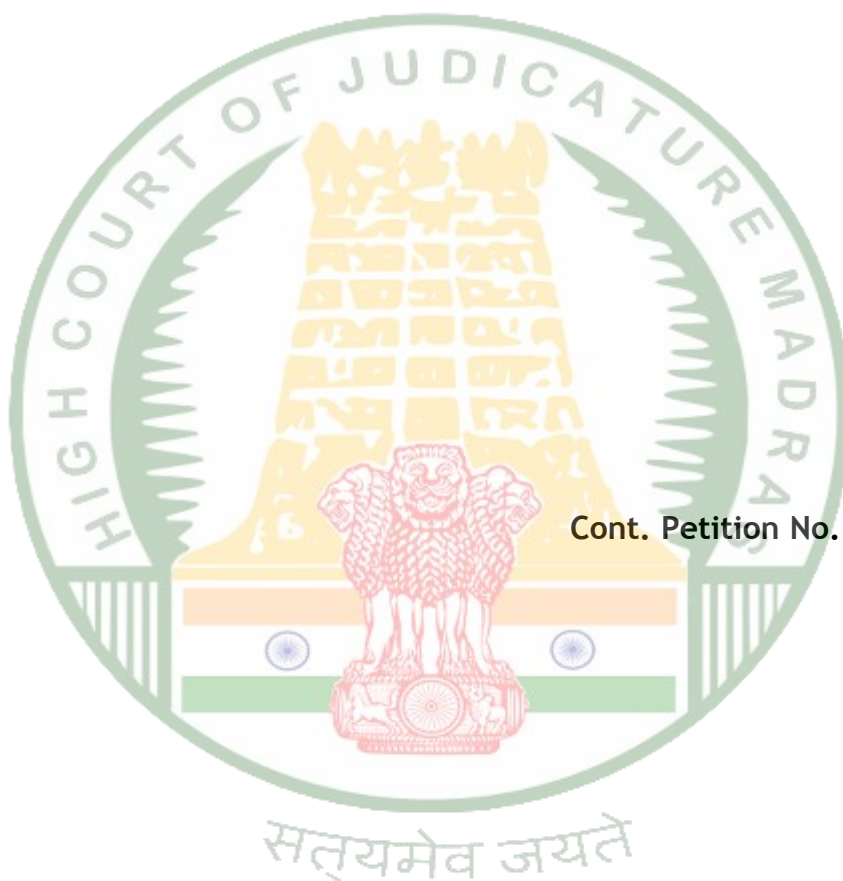
Issue copy of this order on or before 22.03.2019

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S.VAIDYANATHAN,J.

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