

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2018

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH

Contempt Petition No.48 of 2018

and

Rev.Aplw.No.31 of 2018

in W.P.No.334 of 2014

and

W.M.P.No.6094 of 2018

in Rev.Aplw.No.31 of 2018

In Contempt Petition No.48 of 2018:

M.Balasubramani

.. Petitioner

... Vs ...

Josep Dias,
Senior Deputy Manager,
Metropolitan Transport Corporation (Chennai) Ltd.,
Pallavan Illam, Anna Salai,
Chennai - 600 002.

.. Respondent

Prayer:- Petition filed under Section 11 of Contempt of Court Act, 1971, to punish the respondent for having committed contempt by willful disobedience of the order of this Court made in W.P.No.334 of 2014, dated 09.06.2017.

For Petitioner : Mr.S.T.Varadarajulu

For Respondent : Mr.Rajeni Ramadoss for Transport

In Review Application No.31 of 2018 :

The Management of Metropolitan Transport Corporation
(Chennai) Ltd.,
Pallavan Illam, Anna Salai,
Chennai - 600 002.

<https://hcservices.eco.gov.in/hcservices/> Rep. by General Manager

.. Petitioner

.. Vs ..

1. The Special Deputy Commissioner of Labour,
D.M.S. Compound,
Chennai.

2. M.Balasubramani

.. Respondents

Prayer:- Review Application filed under Order XL VII Rule 1 of CPC against the order passed by this Court in W.P.No.334 of 2014, dated 09.06.2017.

For Petitioner : Mr.Rajeni Ramadoss for Transport

For R-2 : Mr.S.T.Varadarajulu

COMMON ORDER

Seeking to review the order passed by this Court in W.P.No.334 of 2014, dated 09.06.2017, Review Application No.31 of 2018 has been filed. For non-compliance of the order passed in W.P.No.334 of 2014, the Contempt Petition No.48 of 2018 has been filed.

2. Learned counsel appearing for the petitioner in the Review Application would submit that a common order was passed in three writ petitions. Though the facts are more or less similar in the other two cases, the present case, which stands on a different footing, has not been dealt with by the Court. Therefore, the Review Application has been filed and that is the reason why the order passed by this Court dated 09.06.2017 has not been complied with.

3. Learned counsel appearing for the second respondent in the Review Application/contempt petitioner would submit that there is a violation of the order passed by this Court in W.P.Nos.333, 334 and 335 of 2014 insofar as paragraph No.5 is concerned. These violations being incurable, the review petitioner does not have a chance.

4. Unfortunately, this Court has not considered the facts of the present case while dealing with the other case. Therefore, there is a mistake on the face of it. Now, the learned counsel appearing for both sides would submit that the writ petitions themselves would be taken up.

5. In such view of the matter, the Review Application stands allowed and the Contempt Petition stands closed. Connected miscellaneous petition is closed.

6. Registry is directed to post the Writ Petition Nos.333, 334 and 335 of 2014 for hearing after two weeks.

SD/-
ASSISTANT REGISTRAR (COMM.CASES)

jrl

//Certified to be true copy//

Dated at Madras this the day of 2018.

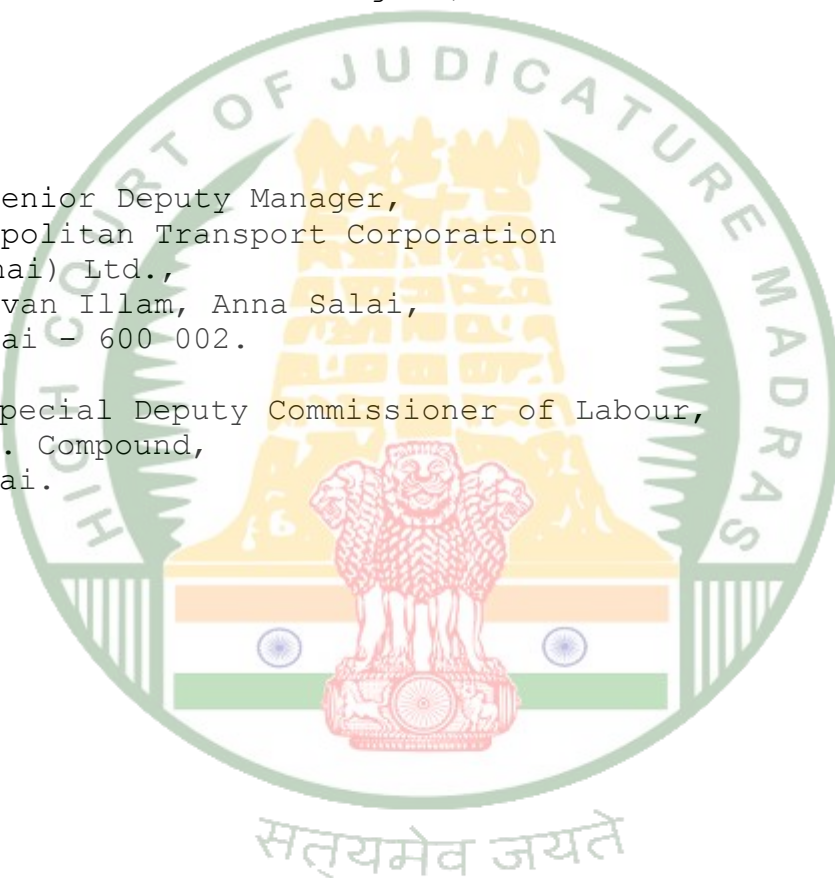
from 25th day of September 2008 the Registry is issuing Certified copies of the Orders/Judgments/Decrees in this format.

KR/CO/19/03/2018

one cc to Mr. S.T. Varadarajulu, SR.No.3721.

To

1. The Senior Deputy Manager,
Metropolitan Transport Corporation
(Chennai) Ltd.,
Pallavan Illam, Anna Salai,
Chennai - 600 002.
2. The Special Deputy Commissioner of Labour,
D.M.S. Compound,
Chennai.



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