

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.12.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

Cont P.No.1752 of 2016

1. Umamaheswari
 2. Selvan Karthick
 3. Renuka
- ... Petitioners

.Vs.

M.Ramesh
The General Manager
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Vellore Region, Vellore.

.... Respondent

Contempt Petition filed under Section 11 of the
Contempt of Courts Act 1971, praying to punish the
respondent for willfully and deliberately violating and
disobeying the order and directions of this Court dated
13.02.2012 in W.P.No.36099 of 2007.

For Petitioners : Mr.V.Ajoy Khose
For Respondent : Mr.S.R.Rajagopal
Additional Advocate General
Assisted by
Mr.K.J.Sivakumar

O R D E R

This Contempt Petition is filed by complaining that the order dated 13.02.2012 passed by this Court in W.P.No.36099 of 2007 has not been complied with in full.

2. Heard the learned counsel appearing for the petitioners and the learned Additional Advocate General appearing for the respondent.

3. The learned counsel for the petitioners as well as the learned Additional Advocate General for the respondent are not disputing the fact that the order dated 13.02.2012 made in W.P.No.36099 of 2007 was put to challenge in W.A.No.1663 of 2017 by the Management and that the said writ appeal was disposed of on 22.12.2017, by modifying the order passed by the Writ Court to the extent stated at Paragraph No.4 therein.

4. In my considered view, once the order dated 13.02.2012 passed in W.P.No.36099 of 2007 is modified in W.A.No.1663 of 2017, the doctrine of merger would apply to the present case and consequently, this contempt petition

cannot be maintained before this Court any further even though the same was filed before filing of the writ appeal or disposal of the same. The only course of action left open to the petitioners is to work out their remedy based on the order passed by the Division Bench of this Court in W.A.No.1663 of 2017 dated 22.12.2017, by initiating appropriate proceedings. Thus, by granting such liberty, this Contempt Petition is closed as not maintainable.

SD/-

ASSISTANT REGISTRAR (COMM.CASES)

mk

//Certified to be true copy//

Dated at Madras this the day of 2020.

COURT OFFICER (O.S.)

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SMI/06/01/2020

To

The General Manager
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Vellore Region, Vellore.