

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 25.09.2019

CORAM

THE HONOURABLE MR. JUSTICE SUBRAMONIUM PRASAD

Cont.P.No.3101 of 2016

in

WP No.18063 of 2016

The Secretary,  
Rajiv Gandhi College of Arts & Science,  
Nemili,  
Sriperumbudur - 602 105 .. Petitioner

Versus

1. K.Karthik., I.A.S.,  
The State of Tamil Nadu,  
Rep By its Secretary,  
Department of Higher Education,  
Fort St. George,  
Chennai 600 009.
2. Raju Rathunu I.A.S (In charge),  
The Director of Collegiate Education,  
College Road, Chennai 600 006.
3. Sasikala,  
The Joint Director of Collegiate Education,  
Chennai Region,  
Saidapet, Chennai 600 015. .. Respondent

Contempt petition filed under section 11 of the Contempt of Courts Act to punish the respondents for their willful and deliberate disobedience and defiance order of this Court dated 20.07.2016 in Writ petition No.18063 of 2016 under Article 215 of the Constitution of India read with Section 2(b) & 12 of the Contempt of Courts Act, 1971 and close the breach thereof.

For Petitioner : M/s.P.Godson Swaminath  
For Respondent : Mrs.Narmada Sampath  
Additional Advocate General  
Assisted by Mr.V.Kadhirvelu,  
Special Government Pleader  
for Higher Education

ORDER

This Contempt petition has been filed alleging non-compliance of the order passed by this Court in WP No.18063 of 2016 dated 20.07.2016.

2. As against the order of this Court in WP No.18063 of 2016 dated 20.07.2016, the respondent/ State Government has preferred an appeal, which was dismissed by this Court on 19.07.2018 . The same has been challenged in Special Leave Petition (Civil) Diary No(s).12514 of 2019 before the Hon'ble Supreme Court. The Hon'ble Supreme Court vide its order dated 07.05.2019 disposed of the SLP in the presence of the respondent, wherein it has been held as follows :-

*Delay condoned. It is submitted that certain questionnaires have not been furnished by the respondents. As such, it will not be possible to decide whether the institution has a minority status. As this ground has not been urged before the High Court, we permit the petitioners to file review petition before the High Court and to file fresh Special Leave Petition against the main order in case the necessity arises ie in case of the dismissal of the Review Petition."*

3. Mrs.Narmada Sampath, learned Additional Advocate General, appearing for the respondents submitted that a review petition has been filed before this Court in Rev.Sr.No.122430 of 2019 and it is coming up for hearing on 25.09.2019 and therefore, she prayed to close this contempt petition.

4. Taking into consideration the liberty granted by the Hon'ble Supreme Court to the respondents/State Government to file a review petition, this contempt petition is closed. However, it is made clear that the petitioner can initiate fresh contempt proceedings, in case the Review Petition is dismissed.

SD/-

ASSISTANT REGISTRAR (COMM.CASES)

rka

//Certified to be true copy//

Dated at Madras this the            day of            2019.

COURT OFFICER (O.S.)

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

Smi/01/11/2019

To

1. The State of Tamil Nadu,  
Rep By its Secretary,  
Department of Higher Education,  
Fort St. George,  
Chennai 600 009.

2. The Director of Collegiate Education,  
College Road, Chennai 600 006.
3. The Joint Director of Collegiate Education,  
Chennai Region,  
Saidapet, Chennai 600 015.