

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25-04-2019

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

Contempt Petition Nos.775, 776, 777, 778, 779, 780, 781 of 2019

1. J.Suresh Babu ...Petitioner in Cont.P.No.775 of 2019
 2. P.Saradhamani ...Petitioner in Cont.P.No.776 of 2019
 3. G.Nangan ...Petitioner in Cont.P.No.777 of 2019
 4. P.Srinivasan ...Petitioner in Cont.P.No.778 of 2019
 5. G.Umasankar ...Petitioner in Cont.P.No.779 of 2019
 6.A.Habiba Ammal ...Petitioner in Cont.P.No.780 of 2019
 7.S.Vellaithuraichi ...Petitioner in Cont.P.No.781 of 2019

vs

Thiru C.Samayamoorthy, I.A.S.,
 Transport Commissioner,
 Chepauk,
 Chennai-600 005. ... Respondent in all Contempt
 Petitions

Common Prayer: Contempt Petition is filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondent for his willful disobedience of the order passed by this Court in WP Nos.25077, 25078, 25079, 25080, 25083, 25084 and 25085 of 2018 dated 19.2.2019.

For Petitioners : Mr.Ravi Shanmugam
 For Respondent : Mr.A.N.Thambidurai,
 Special Government Pleader.

C O M M O N O R D E R

The present contempt petitions have been filed to punish the respondent for not complying with the orders passed by this Court on 19.2.2019 in WP Nos.25077, 25078, 25079, 25080, 25083, 25084 and 25085 of 2018.

2. The learned counsel for the petitioners referred to a letter communicated by the Joint Transport Commissioner (Administration), Chepauk, Chennai to the learned counsel for the writ petitioners in proceedings dated 21.3.2019, which states that the High Court has not framed the time limit in its order, so as to implement the orders immediately.

3. Relying on the said reply letter, the learned counsel for the petitioners stated that the authorities have not taken the orders of this Court in a right spirit and are protracting the issue by not implementing the orders of this Court.

4. The High Court has passed an order stating that the authorities have to comply with the directions without any further lapse of time taking into account the administrative difficulties and to follow the official procedures which may take sometime. Thus specific time limit has not been fixed by the High Court by considering the facts and circumstances and enabling the respondent-authority to implement the orders passed by this Court in a proper manner.

5. However, such leniency shown by the High Court can never be misinterpreted by the authorities by stating that the High Court has not framed any time limit and therefore, they are at liberty to take the time at their own choice. The spirit of the order is to be understood by the competent authorities for the implementation of the High Court's orders. The spirit of the order is undoubtedly to comply with the directions without any further lapse of time, which indicates that as early as possible, the orders must be implemented.

6. However, the fact remains that the Government has already passed the orders of relaxation and certain other administrative procedures are to be followed for the purpose of issuing the final orders. Thiru P.Ramalinkam, Joint Transport Commissioner (Administration), Chepauk, Chennai-600 005, who is present before this Court, assisting the learned Special Government Pleader, made a submission that the orders of this Court dated 19.2.2019 passed in WP 25081 of 2018 will be implemented within a period of three months from today.

7. When an undertaking is given by the competent authority himself before this Court, the time sought for by him is granted and accordingly, the respondent is directed to implement the orders of this Court dated

19.2.2019 passed in WP Nos.25077, 25078, 25079, 25080, 25083, 25084 and 25085 of 2018, within a period of three months from today, failing which the writ petitioners are at liberty to restore the contempt petitions for the purpose of pursuing the applications.

8. With the above directions, the contempt petitions stand disposed of. However, there shall be no order as to costs.

SD/-

ASSISTANT REGISTRAR (COMM. CASES)

ssb

//Certified to be true copy//

Dated at Madras this the day of 2019.

COURT OFFICER (O.S.)

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

Mv/17/05/2019

To

Transport Commissioner,
Chepauk,
Chennai-600 005.