



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.07.2019

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

CONT.P.(MD)No.1133 of 2018

in WMP(MD).8071 of 2018 in WP(MD).8585 of 2018

Sarala

... Petitioner/Petitioner

-Vs-

V.Krishnaveni

... Contemnor/Respondent No.2

Prayer: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, to punish the contemnor/2nd respondent herein for her willful, deliberate, disobedience of the order of this Court made in W.M.P.(MD) No.8071/2018 in W.P.(MD) No.8585 of 2018 dated 19.04.2018.

Prayer in WMP(MD). 8071/ 2018 :

To grant an Interim Stay all further proceedings of the impugned order passed by the 2nd Respondent vide his proceeding in Na.Ka.T2/28342/2017, dated 06.04.2018 pending disposal of the above Writ Petition.

Prayer in WP(MD). 8585/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the 2nd Respondent vide his proceeding in Na.Ka.T2/28342/2017, dated 06.04.2018 and quash the same as illegal, and consequently directing the 2nd respondent to allow the Petitioner to continue his work in Adi Dravidar and Tribal Welfare Hostel, Sivakasi based on his representation dated 16.04.2018.

For Petitioner : Mr.S.Karthick Subramanian
For Respondent : Mr.P.Kannithevan, AGP

ORDER

This contempt petition has been filed for the alleged disobedience of the orders of this Court dated 19.04.2018 made in W.M.P.(MD) No.8071/2018 in W.P.(MD) No.8585 of 2018. By the said order, this Court granted an interim order of stay of the impugned transfer order against the petitioner dated 06.04.2018.

2. Today, when this contempt petition is taken up for hearing, the respondent has filed status report, where, it is stated that, pursuant to the order of transfer, which is impugned in the writ



petition, dated 06.04.2018, the petitioner was relieved from the place, from where she was transferred, wherein, the next incumbent one Pandiammal has been posted, who had taken charge on 07.04.2018, whereas, the order of interim stay had been granted only on 19.04.2018. Therefore, on the date of passing of the order of stay by this Court, 12 days prior to that, the new incumbent has joined in the post, where the petitioner had already been relieved. This has been specifically stated in the status report.

3. In view of the same, this Court is of the view that this contempt petition cannot be proceeded further on the alleged reason of willful disobedience of the order of this Court. However, since the main writ petition is pending, if the petitioner is having any grievance on the impugned order as well as the subsequent development, she can agitate the same and get remedy in the main writ petition.

4. In that view of the matter, this contempt petition is closed.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar (CS)

Arul

TO

V. KRISHNAVENI
W/O. KARRUPUSAMY
ADI DRAVIDAR AND TRIBAL WELFARE OFFICER
OFFICE OF THE ADI DRAVIDAR AND TRIBAL WELFARE OFFICER
VIRUDHUNAGAR DISTRICT,
VIRUDHUNAGAR.

+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No.75994

Order made in
CONT.P.(MD)No.1133 of 2018
Dated: **17.07.2019**

SCR (CO)
TR (25.07.2019) 2P 3C