



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **16.09.2020**

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMARCONT.P.(MD)No.607 of 2020inW.P.(MD)No.8570 of 2019

WEB COPY

Karuppaiah

... Petitioner/Petitioner

-Vs-

1.Beela Rajesh IAS

Principal Secretary,
State of Tamil Nadu,
Health and Family Welfare Department,
Fort St.George,
Chennai 600 009.

2.Gurunathan

Director,
Directorate of Health and
Family Welfare Department,
D.M.S Compound,
Thenampettai,
Chennai 600 006.

3.R.Ilango Maheswaran, MBBS DCH,

Joint Director,
Directorate of Medical and Rural Health Services and
Family Welfare Department,
Government Hospital,
Head Quarters Hospital,
Sivagangai District.

4.M.Jeevajothi, MBBS, DGO,

Medical Officer,
Government Hospital,
Singampunari,
Sivagangai District.

... Contemnors/Respondents

Prayer: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, to punish contemnors/respondents for their wilful and deliberate disobedience upon the order of this Court made in W.P.(MD).No.8570 of 2019 dated 10.04.2019.

Prayer in WP(MD). 8570/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus to direct the respondents to permit the petitioner to discharge the regular duty viz., Hospital Worker (Out Sourcing



Staff) on the basis of the representation submitted by the petitioner dated 26/03/2019.

For Petitioner : Mr.K.Baalasundharam
For Respondent : Mrs.J.Padmavathi Devi
Special Government Pleader

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ORDER

This contempt petition has been filed for the alleged disobedience of the orders passed by this Court made in W.P(MD). No.8570 of 2019, dated 10.04.2019.

2.Today when the case is taken up for hearing, the learned Special Government Pleader appearing for the respondents has produced a copy of the order, dated 11.06.2019, whereby the request of the petitioner, as directed by this Court order, dated 10.04.2019, was considered and rejected.

3.In view of the said order having been passed, the learned Special Government Pleader would submit that, no further adjudication is required to be made in this contempt petition.

4.The learned counsel for the petitioner would submit that, the order dated 11.06.2019 has not been inconsonance with law. Therefore, still the contempt persists and he can insist upon to proceed against the respondents under the provisions of the Contempt of Court Act.

5.This Court is not accepting the said plea raised by the petitioner, because the direction given by this Court by its order dated 10.04.2019 is only to consider the representation, without going into the merits of the case. Now, the representation, as having been considered, was rejected. Therefore, if at all, any grievance the petitioner is still having against the order, dated 11.06.2019, it is open to him to adjudicate the issue in the manner known to law, but that will not entitle the petitioner to insist upon this Court to proceed against the respondents in the contempt proceedings.

6.In view of the above, this Contempt Petition is closed as no further adjudication is required.

Sd/-

Assistant Registrar (ADI)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



To

- 1.The Principal Secretary,
State of Tamil Nadu,
Health and Family Welfare Department,
Fort St.George,
Chennai 600 009.
- 2.The Director,
Directorate of Health and
Family Welfare Department,
D.M.S Compound,
Thenampettai,
Chennai 600 006.
- 3.The Joint Director,
Directorate of Medical and Rural Health Services and
Family Welfare Department,
Government Hospital,
Head Quarters Hospital,
Sivagangai District.
- 4.The Medical Officer,
Government Hospital,
Singampunari,
Sivagangai District.

+1cc to Spl.GP SR.No 17316

Order made in
CONT.P.(MD)No.607 of 2020
in
W.P.(MD)No.8570 of 2019
16.09.2020

MA(CO)
KB(28.09.2020) 3P 6C