



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.01.2020

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cont.P.(MD)No.1649 of 2019

T.Mohandass

... Petitioner

Vs

S.Arul Chezhian
The Block Secretary,
TN Primary School Teacher Federation,
D.Gudalur, D.Gualur Post,
Vedsandur Taluk,
Dindigul District 624 620.
(The Cause title accepted vide court
order dated 18.10.2019 in SUB A(MD).227/2019)

... Respondent

PRAYER :- Petition filed under Section 11 of the Contempt of Courts Act, to punish the respondent for the deliberate and willful disobedience of the order dated 24.04.2018 in Crl MP(MD)No.7511 of 2019 in Crl.O.P.(MD)No.12978 of 2018.

Prayer in CRL MP(MD). 7511 of 2018 :

Petition filed Under Section 438 of Cr.P.C. Praying this Court to modify the conditions imposed by this Honourable Court in Crl.O.P.(MD) NO.12978 of 2018 dated 03/08/2018.

Prayer in CRL OP(MD). 12978 of 2018 :

Petition filed Under Section 438 of Cr.P.C. for Anticipatory Bail in Crime No. 178/2018 on the file of the respondent police.

For Petitioners : Mr.M.Jerin Mathew
for M.E.Ilango

For Respondent : Mr.G.Prabhu Rajadurai
for Mr.S.Louise

O R D E R

The petitioner herein sought anticipatory bail in Crime No.178 of 2018, registered on the file of the Guziliamparai Police Station, Dindigul District. I granted relief to the petitioner by putting him on terms. The petitioner was directed to submit a letter of



unconditional apology to one Arun Kumar and one Nirmala Mary.

2. Thereafter, a clarificatory petition was filed and the petitioner expressed his apprehension that his rights may be prejudiced as a result. I therefore, clarified that submission of apology was only pursuant to the Court's direction and that the same cannot be put against the petitioner in any manner before any Forum. I further clarified that it would not amount to admission of guilt by the petitioner. It was also further directed that it would not be published in any media including social media. Eventhough such a specific direction was given, it appears that the respondent herein had enclosed the said letter of apology in a writ petition filed against the petitioner herein. That has given rise to this contempt proceedings.

3. The contemnor is present in person. He has filed an affidavit expressing his unconditional apology. He had also further stated that he had taken remedial steps to undo the wrong that he has committed. He would further state that he would withdraw the writ petition filed against the petitioner herein. Eventhough I do find that the respondent has committed an act of contempt by breaching the order passed by this Court, in view of the remedial steps taken by him, I am of the view that the issue deserves to be given a quietus.

4. Recording the apology made by the respondent and his offer to withdraw the writ petition in W.P.(MD)No.13994 of 2019, this Contempt Petition stands closed.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

pnn

To
The Block Secretary,
TN Primary School Teacher Federation,
D.Gudalur, D.Gualur Post,
Vedsandur Taluk,
Dindigul District 624 620.

Cont.P. (MD)No.1649 of 2019
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SGS (CO)
TR(28.01.2020) 2P 2C