

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

Contempt Petition Nos.1221 & 1222 of 2021

Contempt Petition No.1221 of 2021

S.Pandiyan

...Petitioner

Vs

Thiru.C.Kumarasamy,
Superintending Engineer,
Villupuram Electricity Distribution Circle,
TANGEDCO,
Villupuram.

... Respondent

PRAYER : Contempt Petition was filed under Section 11 of Contempt of Court Act, 1971, to punish the respondent for their willfully disobeying the common order passed in W.P.No.33041 of 2013, dated 24.04.2018.

Contempt Petition No.1222 of 2021

1.S.Kumaran
2.M.Sundar
3.M.Shanmugam
4.A.Elumalai
5.E.Veeraraja Pandiyan
6.K.Deivapathasekaran
7.S.Manivannan
8.S.Govindaraji
9.A.Mohandoss

...Petitioners

Vs

Thiru.C.Kumarasamy,
Superintending Engineer,
Villupuram Electricity Distribution Circle,
TANGEDCO,
Villupuram.

... Respondent

PRAYER : Contempt Petition was filed under Section 11 of Contempt of Court Act, 1971, to punish the respondent for their willfully disobeying the common order passed in W.P.No.33049 of 2013, dated 24.04.2018.

For Petitioners : Mr.R.D.Ashok Kumar
[in both case]

For Respondent : Mr.Anand Gopalan
For M/s.T.S.Gopalan & Co
[in both case]

COMMON ORDER

Both the Contempt Petitions are filed to punish the respondent for willful disobedience of the orders of this Court passed on 24.04.2018 in W.P.Nos.33041 and 33049 of 2013.

2. This Court passed a common order in a batch of writ petitions on 24.04.2018. In the common order, direction was issued that the workmen were permitted to submit fresh representation to the Management with all necessary documents, establish their engagement as contract labourer. In the event of receiving any such representation from the workmen, the Management is directed to consider the same in the light of the Board Proceedings issued on 09.01.2008 and pass orders on merits and in accordance with law within a period of 12 weeks.

3. The learned counsel for the respondent furnished the copy of the order passed by the Management in proceedings dated 28.10.2021 pursuant to the orders passed by this Court. The grounds raised by the petitioners are considered.

4. However, the learned counsel for the contempt petitioners raised an objection by stating that the procedures as contemplated in B.P.No.9 has not been followed, while passing the orders.

5. This Court is of the considered opinion that the direction issued by this Court was to consider the case of the writ petitioners on merits. Once, it is considered on merits, the same would be sufficient to form an opinion that the order of this Court has been implemented. In view of the facts and circumstances, the respondent / Management has not committed any willful disobedience and the orders passed by this Court has already been implemented, no further consideration is required and accordingly, both the Contempt Petitions stand closed. No costs.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

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//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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Gs/28/01/2022