



WEB COPY

Contempt Petition No.1229 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.09.2021

CORAM :
THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
AND
THE HONOURABLE MR. JUSTICE A.A.NAKKIRAN

Contempt Petition No.1229 of 2021

M.Poovendra Raja,
No.19/32, A.L.Murali,
2nd Street, Nehru Nagar,
Velachery, Chennai 600 042

... Petitioner

VS.

Ravichandran,
Principal/Commandant,
Ty. PRS, TSP III Battalion,
Veerapuram, Chennai – 55.

...Respondent

Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, seeking to punish the Respondent herein for wilfully disobeying the order dated 28.04.2021 passed by this Court in W.A.No.168 of 2021.

For Petitioner	:	Mr.P.I.Thirumoorthy
For Respondent	:	Mr.K.V.Sajeevkumar, Government Advocate

ORDER
(Order of the Court made by S.VAIDYANATHAN,J.)

This Contempt Petition is filed seeking to punish the Respondent herein for non-compliance of the order dated 28.04.2021 passed by this Court

<https://hcservices.ecourts.gov.in/hcservice9>
in W.A.No.168 of 2021.



2. Learned counsel for the Petitioner drew the attention of this Court to paragraph Nos.11 and 12 of the judgment dated 28.04.2021 passed by this Court in W.A.No.168 of 2021 and contended that, flimsy charge has been foisted on the Petitioner herein and that, though there is a compromise between the parties, witnesses have turned hostile. Hence, according to the learned counsel, the benefit of considering the case should have been extended to the Petitioner and that, the order of the learned Single Judge has been disobeyed.

3. Learned Government Advocate appearing for the Respondent drew the attention of this Court to paragraph Nos.15 and 16 of the judgment under contempt, and contended that, the order of the learned Single Judge has been interfered with and while setting aside the order dated 12.12.2019 passed by the learned Single Judge in W.P.No.6024 of 2018, it was held that, the matter is remanded to the Authority concerned for fresh consideration.

4. After the judgment passed by the Division Bench which is now under contempt, Respondents have taken a decision on 16.08.2021, rejecting the claim of the Writ Petitioner, which has given rise to a fresh cause of action. Certainly, this Contempt Petition is not maintainable, as the Respondents have complied with the judgment under contempt. Whether the Authority has arrived at a proper decision or not, cannot be gone into the



5. In view of the foregoing, **this Contempt Petition is closed with liberty to the Petitioner to challenge the proceedings dated 16.08.2021 passed by the Authority concerned.**

SD/-
ASSISTANT REGISTRAR(COMM.CASES)

vm/aeb

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)
from 25th day of September 2008 the Registry is issuing Certified copies of
the Orders/Judgments/Decrees in this format.

GS/29/11/2021

To

The Principal/Commandant,

Ty. PRS, TSP III Battalion,
Veerapuram, Chennai – 55.