



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :14.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM  
AND  
THE HONOURABLE MRS.JUSTICE S.ANANTHI

Cont.P(MD)No.225 of 2021

in

C.M.P(MD) No.5640 of 2020

in W.A.(MD)No.1031 of 2020

1.Muthu Vinayagam  
2.P.Murugesan  
3.P.Arockiya Brito

... Petitioners

Vs.

1. K.Phanindra Reddy, I.A.S.,  
The Principal Secretary,  
Commissioner of Revenue Administration,  
Chepauk,  
Chennai - 600 005.

2. M.Vijayalakshmi, I.A.S.,  
The District Collector,  
Office of the Collector  
Dindigul District,  
Dindigul.

3. R.Govindarasu  
The District Revenue Officer  
Dindigul District,  
Dindigul.

... Contemnors

**PRAYER:** Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, to punish the respondents / contemnors for wilful disobedience of the order passed by this Court dated 18.11.2020 in C.M.P(MD) No.5640 of 2020 in W.A.(MD) No.1031 of 2020.

**Prayer in CMP(MD) . 5640/ 2020 :**

To STAY all proceedings of the impuged order of the First respondent in his proceedings vide Letter No.Ser4(2)/16026/2017 dated 05.09.2020 pending disposal of the above writ petition and thus render justice.

**Prayer in WA(MD) . 1031/ 2020 :**

To prefer this Memorandum of grounds writ appeal against the order dated 18.09.2020 made in the above writ petition in WP



(MD).No. 12022/2020 passed by His Lordship Mr.Justice R.SURESHKUMAR on the file of this Honourable Court.

**Prayer in WP(MD). 12022/ 2020 :**

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 First Respondent in his proceedings vide Letter No. ser 4(2)/16026/2017 dated 05.09.2020 and quash the same and consequently directing the respondents to implement the amended service rules of the Government issued in G.O.(Ms) No. 106 Personnel and Administrative Reforms (B) dated 01.09.2020 for all the panels which are going to be drawn by the respondents with the prospective effect.

For Petitioner : Mr.S.Ramsundarvijayaraj

For Respondents : Mr.A.K.Manickam  
Standing Counsel for Government

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**ORDER**

(Order of the Court was made by **T.S.SIVAGNANAM, J.**)

This contempt petition has been filed against the wilful disobedience of the order and interim direction issued in C.M.P(MD) No.5640 of 2020 in W.A.(MD) No.1031 of 2020, dated 18.11.2020.

2.The order of stay sought for is to stay the Amendment to the Special Rules. It is a settled legal position that the Rules are presumed to be valid unless it is *per se* set out.

3.The contempt alleged is that after the order of stay was granted, further steps have been taken by the department. The department has not been enjoined from doing so. Hence, we are of the view that this contempt petition cannot be entertained.

4. Accordingly, the contempt petition is dismissed.

Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

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+1 CC to M/s.VEERA ASSOCIATES, Advocate (SR-22644[F] dated 15/07/2021)

+1 CC to M/s.SPL GP (SR-22971[F] dated 16/07/2021)

**Cont.P(MD)No.225 of 2021  
14.07.2021**

**RC (23.07.2021) 3P-3C**