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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cont. P (MD) No.833 of 2021

in

W.P (MD) No.1183 of 2021

Velayutham

... Petitioner

Vs.

1.D.Karthikeyan

The Principal Secretary
Housing and Urban Development Department,
Secretariat, Fort St.George,
19 Rajaji Salai, Chennai-600 009.

2.S.Subramanian

The Registrar (Housing)
IInd Floor,
The Tamil Nadu Co-operative Housing Federation Building,
No.48, Ritherdon Road,
Vepery, Chennai 600 007.

3.A.Dhayala Vinayagan Amulraj

The Regional Deputy Registrar (Housing),
Samuthu School Street,
Kajanagar, Mannarpuram,
Tiruchirappalli-620 020.

...Contemnors/Respondents

Prayer: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the contemtor herein for their deliberate and willful conduct of disobeying the order dated 25.01.2021 passed by this Court in W.P.(MD)No.1183 of 2021.

Prayer in WP(MD). 1183/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Mandamus, directing the respondents to take disciplinary action and detailed enquiry against the erred employees (ie) T.Ramar and M.Karmegam U/s 76 and 81 of the Tamil Nadu Cooperative Societies Act to be conducted by some other honest Cooperative Sub Registrar by considering the representation of the petitioner dated 02.01.2021 with in a time frame as fixed by this Honourable Court and to pass such other orders as this Honourable Court may deem fit in the above said facts and circumstances of the case and thus render justice.

For Petitioner

: Mr.S.Karthikeyan

For Respondents

: Mr.R.Ragavendran

Government Advocate

**ORDER**

The petitioner herein filed W.P.(MD)No.1183 of 2021 taking disciplinary action against two employees by name Ramar and. Karmegam. Alleging that no action has been taken, this contempt petition has been filed.

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2. But in my order dated 25.01.2021, I had made it clear that it is for the employer to decide whether to take action against the employees or not and that it not for this Court to issue any Mandamus. Therefore, when I have not given any direction against the employer the question of the employer committing contempt does not arise. The contempt petition has been vexatiously filed.

3. The contempt petition stand closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rmi

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.

To

1. The Principal Secretary

Housing and Urban Development Department,
Secretariat, Fort St. George,
19 Rajaji Salai, Chennai-600 009.

2. The Registrar (Housing)

IInd Floor,
The Tamil Nadu Co-operative Housing Federation Building,
No.48, Ritherdon Road,
Vepery, Chennai 600 007.

3. The Regional Deputy Registrar (Housing),

Samuthu School Street,
Kajanagar, Mannarpuram,
Tiruchirappalli-620 020.

+1 CC to M/s.SPL GP (SR-21352[F] dated 06/07/2021)

Cont. P(MD)No.833 of 2021

in

W.P(MD)No.1183 of 2021

05.07.2021