



WEB COPY

SUB.A.(MD)No.154 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 15.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**
SUB.A.(MD)No.154 of 2021

in

CONT.P.(MD)No.SR28866 of 2021

in

W.P.(MD)No.20714 of 2015

P.Krishnamoorthy

...Petitioner/Petitioner

vs.

R.Krishnamoorthy

Chief Engineer (Personnel),

TANGEDCO-TNEB,

No.144, Anna Salai, Chennai - 600 002.

...Respondent/Respondent

Prayer in Sub.A.(MD)No.154 of 2021: Application filed under Section 151 of Code of Civil Procedure, to grant leave to the petitioner to file the above Contempt Petition.

Prayer in CONT.P.(MD)No.SR28866 of 2021: Contempt Petition is filed under Section 11 of Contempt of Courts Act, 1971, to punish the contemnor/respondent for his wilful disobedience of the order, dated 25.07.2017 passed in W.P.(MD)No.20714 of 2015.

Prayer in WP(MD). 20714/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a WRIT OF CERTIORARIFIED MANDAMUS to call for the records of the 1st respondent in Memo No.60296/280/G1/G12/2013-60 dated 11.11.15 and Memo No.88345/330/G1/G12/2015-3 dated 11.11.15 and quash the same and consequently (*)direct 1st respondent to promote the petitioners from the date of promotion given to the Mr.Manickam, Serial No.5 in the 2nd impugned order in Memo.No.88345/330/G1/G12/2015-3 dated 11.11.15 with all service and monetary benefits and also, direct the 1st respondent to prepare common seniority list of JE-Grade-II for promotion to the post of JE-Grade-I and benefits.

For Petitioner : Mr.G.Prabhu Rajadurai

For Respondent : Mr.T.Sakthi Kumaran



O R D E R

It is admitted before this Court that the order dated 25.07.2017 in W.P.(MD) No.20714 of 2015 was challenged in an appeal and the Writ Appeal was disposed of by the Honourable Division Bench of this Court by a subsequent order.

2.Main Contempt Petition has been filed alleging wilful disobedience of the order dated 25.07.2017 in W.P.(MD)No.20714 of 2015. Since the petitioner is not a party in the Writ Petition, this Sub Application is filed to grant leave. Since the order in the Writ Petition has been modified by the Honourable Division Bench of this Court, the order in the Writ Petition merges with the order passed by the Honourable Division Bench in the Writ Appeal. In such circumstances, this Court is of the view that the Contempt Petition is not maintainable. Hence, giving liberty to the petitioner to approach the Division Bench, this Sub Application is closed unnecessary. Consequently, the Contempt Petition is closed at SR stage itself.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

cmr

To

The Chief Engineer (Personnel),
TANGEDCO-TNEB,
No.144, Anna Salai, Chennai - 600 002.

+1 CC to M/s.G.PRABHU RAJADURAI, Advocate (SR-29293[F] dated 16/09/2021)

SUB.A.(MD)No.154 of 2021 in
CONT.P.(MD)No.SR28866 of 2021 in
W.P.(MD)No.20714 of 2015
15.09.2021

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