



Contempt Petition No.649 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2022

**CORAM
THE HONOURABLE MR. JUSTICE M.DHANDAPANI**

Contempt Petition No.649 of 2021

R.Mourougane,
No.19, Middle Street,
Pillaichavady,
Puducherry 605 014

... Petitioner

VS.

1. Ashwani Kumar, I.A.S.,
Chief Secretary to Government,
Government of Puducherry,
Chief Secretariat Beach Road,
Puducherry – 605 001.
2. Ashok Kumar, I.A.S.,
Secretary to Government (Education),
Government of Puducherry,
Chief Secretariat, Beach Road,
Puducherry – 605 001.
3. M.V.Hiran,
Under Secretary to Government (Educational),
Pondicherry Engineering College,
Chief Secretariat,
Beach Road, Puducherry – 605 001.
4. P.T.Rudra Goud
Member Secretary-cum-Director of
Higher & Technical Education,
Lawspet Post,
Puducherry – 605 008.



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5. S.Kothandaraman,
Principal,
Pondicherry Engineering College,
Pillaichavady,
Puducherry – 605 014.

6. Dr.Tirusakthi Murugan,
Head of the Department,
Electronics & Instrumentation Engineering,
Pondicherry Engineering College,
Pillaichavady,
Puducherry – 605 014.

... Respondents

(R6 suo motu impleaded as per the order dated 21.12.2021 made in Contempt Petition No.649 of 2021)

Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, praying to punish the Respondents for their wilful disobedience of the order dated 18.11.2020 passed by this Court in W.P.No.2606 of 2014.

For Petitioner : M/s.A.Prakash

For Respondents : Mrs.N.Mala,
Government Pleader (Pondy)

ORDER

Petitioner has come up with the above Contempt Petition praying to punish the Respondents for wilful disobedience of the order dated 18.11.2020 passed by this Court in W.P.No.2606 of 2014.

2. When the matter was taken up for hearing on 29.10.2021, learned counsel for the Petitioner submitted that, though this Court issued a direction to the Respondents therein to consider the Petitioner's name for



promotion to the post of Mechanic, if he is found eligible for the said post,

Respondents rejected the Petitioner's request. Thereafter, one Tirusakthi Murugan, Head of the Department, who is *suo motu* impleaded as 6th Respondent in the present Contempt Petition, had made a call to the Petitioner and abused him as also the High Court. Hence, the Petitioner made a complaint in that regard to the Principal Chief Secretary, Government of Puducherry.

3. Taking note of the submissions of the learned counsel for the Petitioner, this Court directed the 2nd Respondent herein to conduct an enquiry personally to find out as to whether the 6th Respondent/Tirusakthi Murugan abused the High Court or not. If it is found to be true, this Court directed the 2nd Respondent to take appropriate action against the 6th Respondent and file a Report before this Court on 26.11.2021.

4. Pursuant to the said order of this Court, Report was filed by the 2nd Respondent. On a perusal of the Report, it is seen that, a Note in writing was submitted by the 6th Respondent/Tirusakthi Murugan before the 2nd Respondent, in which, he has stated that, the Principal of the College never instigated him to target anybody. It is further seen that, in the conversation that is said to have taken place on 12.09.2021 between the Petitioner and the 6th Respondent/Tirusakthi Murugan, an abusive word was used by the 6th



Respondent against the High Court. When the said CD and also the conversation was put to the said Tirusakthi Murugan, he confessed that, he had used the particular word against the High Court, however, it was due to provocation caused on account of background reasons as mentioned in his submissions dated 15.11.2021 and it was not with any intent of blaming or defaming the Honble High Court.

5. Heard the learned counsel for the Petitioner and Mrs.N.Mala, learned Government Pleader (Puducherry) as also the 6th Respondent/Tirusakthi Murugan, who is present before this Court.

6. The 6th Respondent/Tirusakthi Murugan has accepted his guilt that, it was only due to provocation caused on account of background reasons and it was not with any intention of defaming the High Court and he also came forward to bear the expenses towards construction of two Toilets in **Government Girls Higher Secondary School, Kathirkamam, Pondicherry, which runs to Rs.80,000/- (Rupees Eighty Thousand only),** i.e. Rs.40,000/- for construction of each Toilet.

7. When the matter was taken up for hearing on 26.11.2021, learned Government Pleader (Pondy) submitted that, the order under contempt has been complied with. However, the matter was kept pending only for filing of Report in respect of the 6th Respondent/Tirusakthi Murugan.



8. Submissions of the 6th Respondent/Tirusakthi Murugan before this Court today, that, he will bear the expenses towards construction of two Toilets in Government Girls Higher Secondary School, Kathirkamam, Pondicherry, **i.e. a sum of Rs.80,000/- approximately** (Rupees Eighty Thousand only), are recorded.

9. In view of the above, as the order under contempt has been complied with, **the Contempt Petition is closed.**

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/25/03/2022

To

1. The Chief Secretary to Government,
Government of Puducherry,
Chief Secretariat Beach Road,
Puducherry – 605 001.
2. The Secretary to Government (Education),
Government of Puducherry,
Chief Secretariat, Beach Road,
Puducherry – 605 001.



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3. The Under Secretary to Government (Educational),
Pondicherry Engineering College,
Chief Secretariat,
Beach Road, Puducherry – 605 001.
4. The Member Secretary-cum-Director of
Higher & Technical Education,
Lawspet Post,
Puducherry – 605 008.
5. The Principal,
Pondicherry Engineering College,
Pillaichavady,
Puducherry – 605 014.
6. The Head of the Department,
Electronics & Instrumentation Engineering,
Pondicherry Engineering College,
Pillaichavady,
Puducherry – 605 014.