



Contempt Petition No.1414 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2022

CORAM

THE HONOURABLE MR. JUSTICE S.S.SUNDAR

Contempt Petition No.1414 of 2022

Dr.K.Srinivasan

..Petitioner

Vs

1. Dr.K.Murugavel,
The Registrar,
Bharathiar University,
Coimbatore 641 046.
2. Dr.L.Senthilkumar,
Professor,
Department of Physics,
Bharathiar University,
Coimbatore 641 046.

..Respondent

PRAYER : Petition filed under section 11 of the Contempt of Courts Act, to punish the respondents for committing grave contempt and gross disobedience of the interim order passed by this Court in WMP.No.14278 of 2021 in WP.No.13416 of 2021, dated 28.06.2021 and impose exemplary costs on the respondent.



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For Petitioner : Mr.Kavitha Rameshwar
For Respondents
for R1 : Mr.C.Vigneswaran, Senior Counsel
for R2 : Mr.P.Saravanan

ORDER

The present Contempt Petition is filed alleging willful disobedience of the order of this Court, dated 28.06.2021 in WMP.No.14278 of 2021 in WP.No.13416 of 2021.

2. The first respondent vide order dated 18.06.2021, appointed the second respondent herein as the Head of the Department of Physics in Bharathiar University, Coimbatore and he was directed to take charge from the petitioner. As against which, the petitioner filed WP.No.13416 of 2021 and WMP.No.14278 of 2021 and this Court passed an interim order on 28.06.2021, which reads as follows:

"3.The leaned counsel for the petitioner pointed out that the petitioner is the senior most in the Department of Physics in Bharathiyar University. It is also stated by the learned counsel for the petitioner that as per the Regulations of Bharathiyar University, the Head of the Department will be appointed based



on Seniority. It is also the admitted position that the petitioner is presently working as the Head of Department of Physics in Bharathiyar University. However, by the impugned order, the 2nd respondent was appointed as Head of Department of Physics and he was requested to take charge from the petitioner. The impugned order is cryptic and no reasons are found. Hence, there shall be an order of interim stay for a period of four weeks."

3. It is seen that the interim order passed by this Court was later confirmed by the Division Bench of this Court in a Writ Appeal said to have been filed by the respondents and a direction was also given to dispose of the Writ Petition on merits. Since the interim order passed by this Court during the pendency of the Writ Petition was not complied with by the respondents, the present contempt petition is filed.

4. Today, the learned counsel appearing for the first respondent produced before this Court a proceedings dated 26.10.2022 passed by the first respondent and submitted that the order of this Court, dated 28.06.2021 has been complied with. The said proceedings reads as follows:



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“In compliance with the direction of the Court, Dr.K.Srinivasan, Professor is placed as Head of the Department of Physics subject to the final verdict of WP.No.13416 of 2021, WP.No.11351 of 2022, WP.No.8363 of 2022 and Cont.P.No.1414 of 2022 pending before the Hon'ble High Court of Madras.”

5. Recording the submissions of the learned counsel for the first respondent, this Contempt Petition is closed.

28.10.2022

pvs



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