



Cont.P.No.1001 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.11.2022

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THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
AND
THE HONOURABLE MS.JUSTICE P.T.ASHA

Cont.P.No.1001 of 2020
in W.A.No.684 of 2019

K.Barathithasan,
S/o.Kuppusamy,
No.1, Old Colony, Sellipet,
Puducherry.

... Petitioner/Appellant

-VS-

1. Mr.Rajagopalan M Kre
The Chairman,
Indira Gandhi Medical College and Research Institute-cum-Chief
Secretary to Government, Chief Secretariat,
Puducherry-605 001.
2. Dr.V.Govindaraj
The Director,
Indira Gandhi Medical College and Research Institute,
Vazhudavoor Road, Puducherry-605 009. ... Respondents/Respondents

Prayer: Contempt Petition is filed under Section 11 of the Contempt of Courts Act to punish the Respondents herein for wilfully and wantonly violating the order of this Hon'ble Court dated 30.08.2019 in W.A.No.684 of 2019.

For Petitioner : Mr.T.Saikrishnan
For Mr.V.Kamala Kumar

For Respondents : Mr.Balamurugane
Govt. Pleader (Puducherry)



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J U D G M E N T

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This Contempt Petition has been filed to punish the Respondent for wilful disobedience of the orders of this Court dated 30.08.2019 passed in W.A.No.684 of 2019.

2. When the matter is taken up for hearing, learned Government Pleader (Puducherry), by producing an affidavit of the 2nd Respondent, has submitted that in the Governing Body Meeting held on 19.10.2022, an approval has been granted to regularize the services of all employees, including the petitioner herein, who were engaged on contract basis and had rendered a minimum of 100 days during pandemic period, by increasing the strength. He has further submitted that a decision has also been taken in the meeting not to engage any Contract Labours in future.

3. At this juncture, learned counsel for the petitioner has expressed his anticipation to the effect that since it has been mentioned in Agenda No.22.38 that concurrence from the Finance Department, Puducherry should be obtained, there is every possibility of the Contemnors to dilute the orders of this Court and therefore, the Contempt Petition may be kept alive.

4. Learned Government Pleader (Puducherry), in order to clear the



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cloud of suspicion from the mind of the petitioner, has stated that as the Secretary to Government (Finance) was one of the members in the Governing Body Meeting, the apprehension of the petitioner is baseless and that the order will be implemented in letter and spirit.

5. On a perusal of the affidavit of the 2nd Respondent, it is apparent that the Government of Puducherry has taken a decision not to engage Contract Labours in future and the notification already issued has been withdrawn and a fresh notification for direct recruitment is going to be issued shortly. Hence, we are of the view that no purpose would be served in keeping this matter pending for further adjudication.

6. Accordingly, this Contempt Petition is closed. In case of non compliance of the orders of this Court, it is open to the petitioner to reopen the contempt and bring the disobedience to the notice of this Court. No costs.

[S.V.N,J.,] [P.T.A,J.,]
01.11.2022

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S.VAIDYANATHAN,J.
and
P.T.ASHA,J.
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To:

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The Chairman,
Indira Gandhi Medical College and Research Institute-cum-Chief
Secretary to Government, Chief Secretariat,
Puducherry-605 001.
2. Dr.V.Govindaraj
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