



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CONT.P.(MD)Nos.343 to 345 of 2022

in

WMP(MD) Nos.11093,11095 & 11094 of 2021

in

W.P(MD) Nos.14133,14135 & 14134 of 2021

V.Murugeswari

..Petitioner in
Cont P(MD)No.343 of 2022

K.Vijaya Kumar

..Petitioner in
Cont P(MD)No.344 of 2022

K.Rajiv Kumar

..Petitioner in
Cont P(MD)No.345 of 2022

Vs.

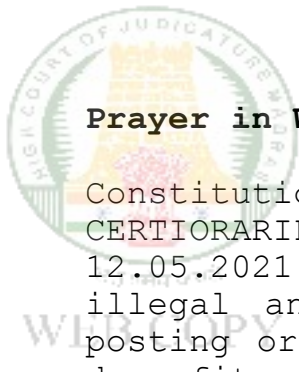
Mrs.M.K.Barathi,
The Deputy Registrar/Managing Director,
R27, Ilaiyangudi Co-operative Urban Bank,
Ilaiyankudi,
Sivagangai District.

..Contemnors
in all Contempt Petitions

COMMON PRAYER: Contempt Petitions filed under Section 11 of the Contempt of Courts Act, praying this Court to punish the contemnor/respondent for her willful disobedience of the orders passed in WMP(MD) Nos.11093,11095 & 11094 of 2021 in W.P(MD) Nos.14133,14135 & 14134 of 2021 respectively, dated 16.12.2021.

Prayer in WP(MD) . 14133/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a WRIT OF CERTIORARIFIED MANDAMUS call for records in impugned order dated 12.05.2021 on the file of the 3rd respondent and quash the same as illegal and further directing the respondents 3 and 4 to issue posting order to the petitioner forthwith and pass other orders as deem fit and proper in the circumstances of the case and thus render justice.



Prayer in WP(MD). 14134/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a WRIT OF CERTIORARIFIED MANDAMUS call for records in impugned order dated 12.05.2021 on the file of the 3rd respondent and quash the same as illegal and further directing the respondents 3 and 4 to issue posting order to the petitioner forthwith and pass other orders as deem fit and proper in the circumstances of the case and thus render justice.

Prayer in WP(MD). 14135/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a WRIT OF CERTIORARIFIED MANDAMUS call for records in impugned order dated 12.05.2021 on the file of the 3rd respondent and quash the same as illegal and further directing the respondents 3 and 4 to issue posting order to the petitioner forthwith and pass other orders as deem fit and proper in the circumstances of the case and thus render justice.

For Petitioners :Mr.S.Kumar

For Respondent :Mr.P.Thilak Kumar
Government Pleader
Assisted by
Mr.D.Gandhiraj
Special Government Pleader

(In all Contempt Petitions)

C O M M O N O R D E R

These contempt petitions are filed that the orders of this Court in WMP(MD) Nos.11093,11095 & 11094 of 2021 in W.P(MD) Nos.14133,14135 & 14134 of 2021, dated 16.12.2021 have not been complied with.

2.Today(05.04.2022), when these contempt petitions are taken up for hearing, the learned Government Pleader produced a copy of the proceedings of the Deputy Registrar/Managing Director, R27, Ilaiyangudi Co-operative Urban Bank that she has passed an order permitting these petitioners to join duty.

3.In reply, the learned counsel appearing for the petitioners claims that even after the order passed by the Deputy Registrar of Ilaiyangudi Co-operative Urban Bank, the fourth respondent in the writ petition, namely, the President has not permitted the petitioners to join duty. According to the learned counsel for the petitioners, the President is having some ego



problem with the petitioners and therefore he is neither complying the orders of this Court nor obeying the directions of the Deputy Registrar of Ilaiyangudi Co-operative Urban Bank.

4. Heard both sides and perused the materials available on record.

5. The order in WMP(MD) Nos.11093,11095 & 11094 of 2021 in W.P(MD) Nos.14133,14135 & 14134 of 2021, dated 16.12.2021 has been passed as an interim measure, even before the parties have filed their respective counter affidavits. It is to be noted that the fourth respondent/the President of R27, Ilaiyankudi Co-Operative Urban Bank is not a party in the present contempt proceedings. But, he was a party in the main writ petitions. It is needless to say that if the concerned parties are aggrieved over any order passed by this Court, they are always having a right to file necessary application to vacate the stay or they can very well file an appeal. Moreover, it is to be noted that the competent authority/Deputy Registrar of Ilaiyangudi Co-operative Urban Bank has issued the proceedings, permitting the petitioners to join duty. However, the President is not permitting the petitioners to join duty. Hence, the conduct of the President in non complying the orders of this Court and not obeying the directions of the Deputy Registrar of Ilaiyankudi Co-Operative Urban Bank warrants disciplinary action.

6. Therefore, this Court is inclined to close all these contempt petitions with a direction to the Joint Director of Co-operative Societies to take necessary action as against the President, for not obeying the direction of the Deputy Registrar of Ilaiyankudi Co-Operative Urban Bank.

7. With the above direction, these contempt petitions are closed.

Sd/-

Assistant Registrar (ADMIN-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

vrn

To

The Deputy Registrar/Managing Director,
R27, Ilaiyangudi Co-operative Urban Bank,
Ilaiyankudi,
Sivagangai District.

<https://hcservices.ecourts.gov.in/hcservices/>



+1 CC to M/s.SPL.GP (SR-16687,16688,16689[F] dated 05/04/2022)

+1 CC to M/s.S. KUMAR, Advocate (SR-16598[F] dated 05/04/2022)

WEB COPY

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