



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.06.2022

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR
AND
THE HONOURABLE MRS.JUSTICE R.THARANI

Cont.P(MD)No.648 of 2020

in

W.A(MD)No.786 of 2019

T.Kingsly Thaya Singh

...Petitioner/Appellant

Vs.

1.Mr.R.Kothandaraman,
The Chief Engineer General,
Highways & Rural Works Department,
Chepauk, Chennai -5
Now,
Director General, Highways Department,
Guindy, Chennai - 25.

2.Tmt.N.Santhi,
Superintending Engineer,
Highways & Rural Works Department,
Tirunelveli.

3.Mr.P.Baskar,
Divisional Engineer,
Highways & Rural Works Department,
Nagercoil,
Kanyakumari District.

...Respondents

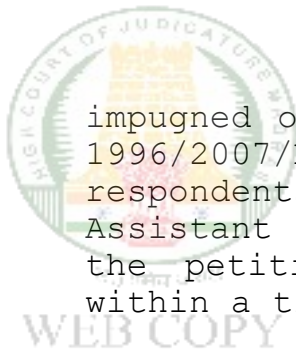
PRAYER: Contempt Petition filed under Section 11 of the Contempt of Courts Act, to punish the respondents for committing contempt for the wilful disobedience of the orders of this Court in W.A(MD)No.786 of 2019 dated 17.09.2019.

Prayer in W.A(MD)No.786 of 2019:

Writ Appeal filed under Clause 15 of Letters Patent against the order dated 11.01.2018 made in W.P.(MD)No.1895 of 2010 on the file of this Court.

Prayer in WP(MD). 1895/ 2010 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a WRIT OF CERTIORARIED MANDAMUS calling for the records pertaining to the



impugned order of the 3rd respondent in his proceedings Letter No. 1996/2007/B5, dated 13.11.2009 quash the same, and direct the respondents to regularize the service of the petitioner as Technical Assistant in the respondent department or in the alternative appoint the petitioner as Road Inspector in the respondent department, within a time frame fixed by this Honourable Court.

For Petitioner : Mr.S.Govindan
For Respondents : Mr.S.P.Maharajan,
Special Government Pleader

ORDER

(Order of the Court was made by S.S.SUNDAR, J.)

Alleging wilful disobedience of the order passed by this Court in W.A(MD)Nos.786 to 788 of 2019, dated 17.09.2019, the above Contempt Petition is filed by the appellant in W.A(MD)No.786 of 2019.

2. The learned Special Government Pleader on instructions states that the order of this Court in W.A(MD)Nos.786 to 788 of 2019 was challenged in review applications and as against the dismissal of the review applications, the respondents have preferred S.L.Ps, before the Honourable Supreme Court. It is also stated that the Honourable Supreme Court had stayed the portion of the impugned judgment which was challenged before the Honourable Supreme Court.

3. Having regard to the peculiar circumstances indicates that there is a possibility that the Honourable Supreme Court may pass final orders by which the judgment of this Court made in the writ appeals as well as the review applications may become inoperative by merger. This Court is therefore inclined to close this contempt petition.

4. In the result, this contempt petition is closed with liberty to the petitioner to recall this order in case there is no merger and the Honourable Supreme Court dismiss the S.L.Ps, without modifying the judgment made by this Court in the writ appeals and review applications.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/06/2022

Sub Assistant Registrar(CS)

PM

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



To

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3.Mr.P.Baskar,
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+1 CC to M/s.SPL.GP (SR-25931[F] dated 15/06/2022)

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MGJ(27.06.2022) 3P 5C