



Cont. P(MD)No.1551 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 14.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cont. P(MD)No.1551 of 2022

in

W.P.(MD)No.8738 of 2021

I.Rahima

... Petitioner

Vs.

1.Shiv Das Meena

The Secretary to Government,
Municipal Administration and Water Supply Department,
Secretariat, Chennai-600 009.

2.B.Ponniah

The Director of Municipal Administration,
6th Floor Ezhilagam Annex Building,
Kamarajar Pormenade,
PWD Estate, Chepauk,
Triplicane, Chennai-600 108.

3.A.Veeramuthukumar

The Commissioner of Municipality,
Theni Allinagaram Municipality,
Theni, Theni District.

4.K.Arumugam

The Director,
Local Fund Audit,
Kuralagam 4th Floor,
Chennai-600 108.

... Respondents



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Prayer: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, to punish the respondents for their willful disobedience of the order passed by this Court in W.P.(MD)No.8738 of 2021, dated 28.04.2021.

For Petitioner : Mr.A.Rahul

For Respondents : Mr.J.K.Jayaseelan
Government Advocate

ORDER

The petitioner alleges that the order passed by this Court has not been complied with.

2. After carefully going through the entire order dated 28.04.2021 passed by this Court allowing the writ petition, I am satisfied that the learned Judge had found merit in the petitioner's contention. However, the operative portion of the order is ambiguous. The employer has chosen to take advantage of the ambiguity. A rejection order has been passed.

3. Since there is an ambiguity, the contempt petition will not lie. However, I permit the petitioner to file a fresh writ petition questioning the rejection order. The petitioner will serve the writ papers in advance on the learned standing counsel for the respondents. The writ petition will be taken up for disposal at the admission stage itself.



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4. With this liberty to the petitioner, the contempt petition is disposed of.

14.11.2022

Index: Yes/No
Internet: Yes/No
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To

1. The Secretary to Government,
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Secretariat, Chennai-600 009.
2. The Director of Municipal Administration,
6th Floor Ezhilagam Annex Building,
Kamarajar Pormenade,
PWD Estate, Chepauk,
Triplicane, Chennai-600 108.
3. The Commissioner of Municipality,
Theni Allinagaram Municipality,
Theni, Theni District.
4. The Director,
Local Fund Audit,
Kuralagam 4th Floor,
Chennai-600 108.



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G.R.SWAMINATHAN, J.

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ORDER MADE IN

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