



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.07.2023

Coram

The Hon'ble Mr. Justice **C. V. KARTHIKEYAN**

Sub Application (OS) No.100 of 2023
in
Cont. Petition No.121 of 2022

P. Balu

..Applicant / Petitioner

vs.

Mythili K. Rajendran, IAS
Secretary to Government
Human Resources Management Department
Erstwhile (P&AR (U) Department)
Fort St. George Secretariat
Chennai – 600 009.

..Respondents / Respondent

Petition filed under Section 151 C.P.C. to reopen the Contempt
Petition No.121 of 2022 on the file of this Court.

For Petitioner .. Mr. C. Vigneswaran

For Respondent .. Mr. S. Ravikumar, SGP

**ORDER**

The petitioner had earlier filed W.P.No.6582 of 2016, which came up for consideration before a learned Single Judge of this Court and the order was pronounced on 18.08.2021. Complaining that the order was not implemented, the petitioner had filed Contempt Petition No.121 of 2022. When the said contempt petition came up for consideration before the learned Single Judge, who passed the order in the writ petition, the learned Single Judge was presented with the fact that, a writ appeal in W.A.No.900 of 2015 and also Review Petition Nos.221 and 222 of 2015 were pending. It was also informed that Review Application No.160 of 2022 had actually been filed seeking review of the very order in W.P.No.6582 of 2016. The aforementioned writ appeal and review petitions were listed before the Division Bench of this Court. Therefore, the learned Single Judge had directed the Registry as follows:

“4. I am of the view that when the issue in hand is under consideration before the Hon'ble Division Bench of this Court



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in W.A.No.900 of 2015 as well as Review Petition Nos.221 and 222 of 2015, it would not be appropriate to partially adjudicate the issue rather the Review Application No.106 of 2022 may be required to be heard along with W.A.No.900 of 2015 and Review Petition Nos.221 and 222 of 2015.

5.Registry is directed to place Review Application No.106 of 2022 before the Hon'ble Acting Chief Justice for passing appropriate orders.”

2. In view of this particular order passed, the contempt petition was closed with liberty to workout the remedy subject to the outcome of the result of Writ Appeal No.900 of 2015 and Review Petition Nos.221 and 222 of 2015 and Review Application No.106 of 2022.

3. All the above, writ appeal, review petitions and review application are still pending. Therefore, the present Sub-Application, which has been filed to reopen the contempt petition, would not take the petitioner anywhere. He would have to contest Review Application No.106 of 2022



and thereafter, proceed further, if the order in the writ petition is not complied with by the respondent. The Sub-Application stands dismissed.

The petitioner can always workout his remedy, as already liberty has been given in the contempt petition by the learned Single Judge.

26.07.2023

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Index:Yes/No

Internet:Yes/No

Neutral Citation:Yes/No

Speaking order: Yes/No



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5

C.V.KARTHIKEYAN, J.

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