



Contempt Petition No.2526 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 21.04.2023

CORAM

THE HONOURABLE Mr.JUSTICE M.S.RAMESH

Contempt Petition No.2526 of 2022

N.Godhandaraman

... Petitioner

Vs

1.R.Vijayaraghavan
Registrar in charge
Thiruvalluvar University
Fort Campus
Vellore 632 004

2.T.Arumugam
Vice Chancellor
Thiruvalluvar University
Fort Campus
Vellore 632 004

... Respondents

Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, to punish the respondents for willful disobedience of the order of this Court in W.P.No.4696 of 2011 dated 21.03.2022.

For Petitioner : Mr.R.Vijayaraghavan

For Respondents : Mr.M.C.Swamy



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ORDER

The direction of this Court in the order dated 21.03.2022 in W.P.No.4696 of 2011 was to the effect that the Registrar shall grant preference to the petitioner for any future vacancies that may arise, for the post of Associate Professor in Zoology, without reference to his upper age limit, as an one time measure. Stating that the incumbent to the post viz., one Dr.A.K.Panneerselvam was ousted and that a vacancy has arise, the present contempt petition has been filed stating that since the University has not appointed the petitioner to the said post, there is disobedience of the order.

2. This Court not is in agreement with such a statement of the petitioner. Under Section 11 of the Contempt of Courts Act, 1971, if there is willful disobedience of any directions of the Court, the cause of action for filing a petition would arise. In the instant case, the learned Standing Counsel for the respondent University had produced his written instructions, which states that as and when the University decides to fill up and call for applications to the post of Associate Professor in the department of Zoology, the University will abide by the order of the writ Court.



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3. The cause of action for the petitioner would arise, only when his candidature is overlooked and somebody else has been appointed to the vacancy, without giving him preference and merely, because the vacancy has arisen in the University, non-filling of the post will not amount to willful disobedience.

With the above observation, this Contempt Petition stands dismissed.

21.04.2023

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M.S.RAMESH, J.

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