



SUB A(MD). No.86 of 2023

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Contempt Jurisdiction**

**Friday, the Twenty Eighth day of July Two Thousand and Twenty Three
PRESENT**

The Hon`ble Mrs.Justice S.SRIMATHY

**SUB A(MD). No.86 of 2023
in
CONT P(MD)No.1629 of 2019
in
WA(MD)No.854 of 2019**

A.Mahalakshmi

... Petitioner/Petitioner

Vs

S.Pandi
President (Now Management)
Md.Spl.4 E. Kottaipatti
Primary Agricultural
Cooperative Bank
E.Kottaipatti Periyoor Taluk
Madurai District.

... Contemnor/Respondent

Prayer in SUB A(MD). No.86 of 2023

Petition filed under section 151 of CPC To reopen the contempt petition (MD).

No.1629 of 2019 closed by order dated 14-12-2022 passed by this Hon`ble court

Prayer in CONT P(MD). 1629/ 2019 :

Contempt Petition filed under section 11 of the Contempt of Court Act, 1971, to
punish the Contemnor/ Writ Petitioner for the contempt committed by him, by will



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full disobedience of the direction given in the order dated 12.2.2018, of The Honble High Court, Madras, Madurai Bench in W.P.(MD) 4857 of 2011o and confirmed by The Honble High Court Madras, Madurai Bench , in W.A. (MD) 854 of 2019 by order dated 20.08.2019 by not paying full wages to the petitioner equal to her service, and pass such further necessary orders.

Prayer in WA(MD). 854/ 2019 :

Writ Appeal filed under clause 15 of Letter Patent of Act, Praying this court, to set aside the order passed by this court in WP(MD)No.4857 of 2011, dated 12.02.2018

Prayer in WP(MD). 4857/ 2011 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a WRIT OF CERTIORARI, by calling for the records from the 1st Respondent s impugned order made in I.D.No.72/2004 dated 02-07-2008 and quash the same as illegal.

ORDER:- This Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of



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Mr.T.Ravichandran Advocate for the Petitioner and of Mr.R.Saravanan Advocate for

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the respondent, this Court made the following order:

This Sub Application is Allowed.

2.Today, when the matter is taken up for hearing, the learned Additional Government Pleader appearing for the respondents submitted that the respondents have placed the petitioner in the post of Attender. He further submitted that they should obtain proper permission from the Registrar to regularize the petitioner's post. The total sanctioned strength to the said bank is only two posts; (i) Secretary and (ii).Clerk. In the post of Secretary and Clerk already two persons are working, namely; Poun Raj and Gunasekaran. As on date, one Salesman post and one Attendar post are available. He further submitted that they should seek approval from the Registrar.

3. In view of the aforesaid submission, the respondents are directed to check any Clerk post is available in any other bank, the petitioner may be transferred to such post. The respondents are further directed to make an application before the Government to confirm the transfer, so that the petitioner



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shall continue in the said post.

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4. The respondents are directed to comply with the above said directions and place the compliance report before this Court, on or before 11.08.2023.

5. Post on 11.08.2023.

6. The personal appearance of the respondents is dispensed with.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/08/2023

Sub Assistant Registrar(CS)

TO

President (Now Management)
Md.Spl.4 E. Kottaipatti
Primary Agricultural
Cooperative Bank
E.Kottaipatti Periyoor Taluk
Madurai District.

Copy to:

The Section Officer,
Contempt Section,
Madurai Bench of Madras High Court, Madurai



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ORDER DATED : 28/07/2023

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ORDER

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in

CONT P(MD)No.1629 of 2019

Giving direction and etc.

as stated within.

RD(08/08/2023) 5P / 3C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.



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