



Cont.P.(MD)No.1407 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 16.02.2023

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Cont.P.(MD)No.1407 of 2021 in
W.P.(MD)No.25044 of 2018

S.Immanuvel

... Petitioner / Petitioner

Vs.

Mr.S.Subramanian,
The District Educational Officer,
Aruppukottai.
Virudhunagar District.

... Contemnor / Respondent

PRAYER: Petition filed under Section 11 of the Contempt of Courts Act to initiate contempt proceedings against the Contemnor / respondent and punish him for the willful disobedience of the order of this Court in WP(MD).No.25044 of 2018, dated 22.02.2021.

For Petitioner	:	Mr.S.Rajasekar for T.Lajapathy Roy
For Respondent	:	Mr.S.P. Maharajan Special Government Pleader

O R D E R

For non-compliance of the order of this Court, dated 22.02.2021,



Cont.P.(MD)No.1407 of 2021

made in WP(MD).No.25044 of 2018, the Contempt Petition is filed.

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2. When the Contempt Petition was taken up for hearing today, the learned Special Government Pleader appearing for the respondent would submit that against the order passed in the said Writ Petition, Writ Appeal was filed before the Division Bench of this Court in W.A(MD).No.893 of 2022 and the same has been dismissed by this Court on 24.08.2022. Against the same, the petitioner herein has filed SLP No.21418 of 2022 and the same is pending.

3. In view of the said submission, the Contempt Petition is closed. However, liberty is given to the petitioner to review the Contempt Petition after the disposal of the SLP.

16.02.2023

Index : Yes / No
Speaking Order : Yes / No
trp



Cont.P.(MD)No.1407 of 2021

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To

1. The Special Government Pleader,
Madurai Bench of Madras High Court, Madurai.

2. Mr.S.Subramanian,
The District Educational Officer,
Aruppukottai.



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Cont.P.(MD)No.1407 of 2021

M.DHANDAPANI, J.

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Cont.P.(MD)No.1407 of 2021
in
W.P.(MD)No.25044 of 2018

16.02.2023



Cont.P.(MD)No.1407 of 2021

CONT. PTN. (MD) NO.1407 OF 2021

WEB COPY

M.DHANDAPANI, J.

This contempt petition is listed today at the instance of the Court.

2. The matter is listed today on the mentioning made by the learned counsel that the drafted copy of the order dated 16.02.2023 has not yet been made available and the web copy has also not been uploaded.

3. To ascertain the status, the Court called for the bundle, which, on production, revealed that though order was dictated to the Personal Assistant, however, erroneously, the bundle was not sent to the Personal Assistant and had inadvertently been sent back to the posting section without any endorsement. Therefore, to appraise the status and to seek the views of the counsel with regard to the same, the case has been listed today.

4. Upon the matter being listed, learned counsel appearing for the



Cont.P.(MD)No.1407 of 2021

appellant fairly submitted that the contempt petition was dismissed with liberty by this Court vide order dated 16.02.2023. The copy of the unsigned order also reveals that the order has been passed by this Court, dismissing the contempt petition on 16.02.2023, which was typed by the Personal Assistant, but the order was not sent for signature as the bundle was not made available. Learned counsel further agreed that this Court may pass the very same order and that the Registry may be directed to issue the order copy as expeditiously as possible.

5. In view of the stand taken by the learned counsel, there is no necessity to pass any further orders other than signing the order dated 16.02.2023, which was typed but the bundle had been erroneously sent to the posting section without being circulated for typing.

6. The matter is clarified accordingly.

12.12.2024

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Cont.P.(MD)No.1407 of 2021

M.DHANDAPANI, J.

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Cont. Ptn. (MD) No.1407/2021

12.12.2024