



WEB COPY



Cont.P. No. 3067 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.01.2024

CORAM

THE HON'BLE MR. JUSTICE S. VAIDYANATHAN

AND

THE HON'BLE MR. JUSTICE K. RAJASEKAR

CONTEMPT PETITION No. 3067 of 2023

K. Janaki

..Petitioner

Vs.

S. Sumathy
The Principal District Judge,
Salem, Salem District.

..Respondent

Prayer: Petition under Section 11 of Contempt of Courts Act, 1971 to
punish the respondent for wilful and wanton disobedience of order
/undertaking/affidavit /misrepresentation in W.P. No. 30393 of 2022 dated
28.07.2023.

For Petitioner :: Ms.D. Sahitya for
Mr.M. Elango

O R D E R

(Made by **S. Vaidyanathan,J.**)

Alleging disobedience of the order dated 28.07.2023 passed in W.P.

No. 30393 of 2022, the present contempt petition has been filed.



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2. The writ petition was disposed of on 28.07.2023 and the relevant portion of the order at paragraph No.3 is extracted hereunder:

"3. In view of the above, it is open to the petitioner to address a representation objecting to the seniority list dated 21.09.2022 within a period of one month from the date of receipt of a copy of this order and after hearing the petitioner in person, the first respondent shall take a decision within a period of one month thereafter, and communicate the decision so taken to the petitioner. In case, the petitioner is aggrieved by the first respondent's decision to be taken, it is open to her to challenge the same, if so advised."

3. The case of the petitioner is that the order of this Court has been disobeyed and that the respondent herein is liable to be proceeded with for wilful and deliberate disobedience of the order of this Court. In the affidavit, it has been stated that the rejection order passed by the respondent is in violation of the order of this Court.

4. Taking note of the fact that in compliance of the order passed by this Court, the Principal District Judge has taken a decision on 08.09.2023 whereby she has stated that there is no provision to refix the seniority list and duly communicated the same to the petitioner, which fact is also not disputed by the petitioner in the affidavit dated 27.09.2023 and moreover, we had made it clear in the order dated 28.07.2023 that if the petitioner is aggrieved by the decision to be taken by the Principal District



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Judge, it is open to her to challenge the same, if so advised and since the decision has been taken, we are of the view that no contempt has been made out. The petitioner has approached this Court in a clandestine manner making allegations against the District Judge, for which reason, this Court deems it appropriate to impose costs of Rs.5000/- (Rupees Five Thousand only) on the petitioner and it shall be recovered from the salary payable to her during the month of January, 2024. The costs so recovered shall be remitted in favour of District Legal Services Authority, Salem.

5. The contempt petition stands closed with the above direction.

nv

(S.V.N.J.) (K.R.S.J.)
04.01.2024



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AND

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