



Cont.P(MD)No.87 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 13.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cont.P(MD)No.87 of 2024

in

W.P(MD)No.28093 of 2022

R.Prabhu

... Petitioner /
Petitioner

Vs.

M.Lakshmi,
Commissioner,
Department of Animal Husbandry
and Veterinary Services,
Integrated Building for Animal Husbandry
and Veterinary Services,
571, Anna Salai,
Nandanam,
Chennai – 600 035.

... Respondent /
1st Respondent

PRAYER: Petition filed under Section 11 of the Contempt of Courts Act, to issue a notice of contempt to the respondents for not obeying/complying with the order of this Court passed in W.P(MD)No. 28093 of 2022 dated 15.12.2022 in its true spirit and punish the respondents in accordance with law.



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For Petitioner : Mr.T.Joshua
For Respondent : Mr.K.S.Selvaganesan
Additional Government Pleader

ORDER

Heard both sides.

2.W.P(MD)No.28093 of 2022 filed by the petitioner herein was disposed of by me on 15.12.2022 in the following terms:

“5. I am satisfied that the amendment is of substantial character. The learned counsel could not confirm if it was approved by the Government. I cannot fault the learned counsel appearing for the second respondent. The writ petition was listed only yesterday and the matter was taken up for final disposal today. The election is to be held day after tomorrow. The petitioner has been a member of the association for more than two decades. He cannot plead ignorance of the fact that the Senior Veterinary Livestock Supervisors are also members of the second respondent association.



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6. Entertaining the writ petitions literally at the last minute would definitely jeopardise the process. I am therefore not inclined to grant relief as prayed for. However, I direct the first respondent to consider the petitioner's representation dated 17.09.2022. Since a dispute has arisen regarding the validity of the amendment, the first respondent will take a call in the matter. Based on his decision, the results of the proposed election will abide. The first respondent will hear the writ petitioner as well as the then General Secretary of the second respondent association before passing final order. Such an order will be passed by the first respondent within a period of six weeks from the date of receipt of a copy of this order. This writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.”

Pursuant to the said direction, the respondent had issued proceedings dated 12.08.2023. If the petitioner feels aggrieved by the same, he has to challenge the same by filing an independent Writ Petition. In contempt proceedings, the correctness of the said order dated 12.08.2023 cannot be gone into.



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3. Granting liberty to the petitioner to file a fresh Writ Petition, this

Contempt Petition is closed.

13.02.2024

Index : Yes / No
Internet : Yes/ No
NCC : Yes / No
MGA

To

The Commissioner,
Department of Animal Husbandry
and Veterinary Services,
Integrated Building for Animal Husbandry
and Veterinary Services,
571, Anna Salai,
Nandanam,
Chennai – 600 035.



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G.R.SWAMINATHAN, J.

MGA

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