



CONT P(MD) No.1293 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Friday, the Ninth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

SUB A(MD) Nos.34 and 35 of 2024

in

CONT P(MD) No.1293 of 2023

A.SHANMUGASUNDARAM

THE REGISTRAR OF CO-OPERATIVE SOCIETIES,

N.V.NATARAJAN MALIGAI,

NO.170, EVR HIGH ROAD,

KILPAUK,

CHENNAI - 10.

... Petitioner / 2nd Contemnor / 2nd Respondent
in SUB A(MD) No.34 of 2024

JEYAGANTHAN

THE PRINCIPAL SECRETARY TO GOVERNMENT,

CO- OPERATIVE FOOD AND CONSUMER

PROTECTION DEPARTMENT,

FORT ST. GEORGE,

CHENNAI - 600 009.

... Petitioner / 1st Contemnor / 1st Respondent
in SUB A(MD) No.35 of 2024

Vs

1 R.DURAIKANNU

2 RAJASEKAR

3 G.MANIMEKALAI



CONT P(MD) No.1293 of 2023

4 A.HENRY DOSS

... Respondents / Petitioners / Petitioners
in both applications

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5 JEYAGANTHAN
THE PRINCIPAL SECRETARY TO GOVERNMENT,
CO- OPERATIVE FOOD AND CONSUMER
PROTECTION DEPARTMENT,
FORT ST. GEORGE,
CHENNAI - 600 009.

6 P.SELVAM
THE PRESIDENT,
TYSPL, 66 PERUVALAPPURPRIMARY AGRICULTURAL
CO-OPERATIVE CREDIT SOCIETY,
KALLAKUDI VIA,
LALGUDI TALUK,
TRICHY DISTRICT.

... Respondents / Contemnors /
Respondents 1 & 3 in SUB A(MD) No.34 of 2024

5 A.SHANMUGASUNDARAM
THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
N.V.NATARAJAN MALIGAI,
NO.170, EVR HIGH ROAD,
KILPAUK,
CHENNAI - 10.

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THE PRESIDENT,
TYSPL, 66 PERUVALAPPURPRIMARY AGRICULTURAL
CO-OPERATIVE CREDIT SOCIETY,
KALLAKUDI VIA,
LALGUDI TALUK,
TRICHY DISTRICT.

... Respondents / Contemnors 2 & 3 /
Respondents 2 & 3 in SUB A(MD) No.35 of 2024

Prayer in SUB A(MD). 34/ 2024 :

To dispense with the personal appearance of this 2nd contemnor/ 2nd



CONT P(MD) No.1293 of 2023

respondent by order 12-01-2024 passed by this Hon`ble High Court contempt petition (MD).No.1293 of 2023 in W.P.(MD).No.2448 of 2020 and close the above contempt petition and purge me from this contempt proceedings.

Prayer in SUB A(MD). 35/ 2024 :

To dispense with the appearance of the petitioner and close the above contempt petition and purge me from this contempt proceedings.

Prayer in CONT P(MD). 1293/ 2023 :

Contempt Petition filed under Section 11 Contempt of Court Act, to punish the respondents for the willful disobedience and non-compliance of the order passed in WP(MD).No. 2448 of 2020 dated 06-12-2022 for committing the act of contempt of court.

Prayer in WP(MD). 2448/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, Calling for the entire records relating to the impugned Government order 189 Cooperative Food and Consumer Protection Department dated 17.11.2009 passed by the 1st respondent and quash the same in respect of fixation of Dearness allowance of 84 percent in so far as the petitioners are concerned and consequently direct the respondents to fix the pay scales along with the Dearness Allowance 97 percent from 1.4.2008 and pay the same to the petitioner from 1.4.2008 and even after the 1st respondent retires pending the writ petition pay the same as arrears after deducting whatever amount was paid already to the petitioners.

ORDER : These sub applications coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.VEERA KATHIRAVAN, Additional Advocate General assisted by Mr.M.SENTHIL AYYANAR, Government Advocate for the petitioner in both applications and of Mr.R.SARAVANAN, Advocate on behalf of the Respondent No.1 in both applications, the court made the following order:-

Pursuant to the statutory notice dated 12.01.2024, the respondents/ contemnors have filed these applications to dispense with their appearance.



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2. It is submitted that due to the reasons stated in the accompanying affidavit filed in support of these petitions, the contemnors could not appear before this court. Being satisfied with the reasons stated in the affidavit, the petition is allowed and the appearance of the respondent/contemnors is dispensed with for the present.

3. Post the main contempt petition on 23.02.2024. If the order is complied with by then, a compliance report shall be filed, failing which, respondents/ contemnors shall be present.

sd/-
09/02/2024

/ TRUE COPY /

/02/2024
Sub-Assistant Registrar
(C.S. I / II / III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

RR

To

1 JEYAGANTHAN
THE PRINCIPAL SECRETARY TO GOVERNMENT,
CO- OPERATIVE FOOD AND CONSUMER PROTECTION DEPARTMENT,
FORT ST. GEORGE, CHENNAI - 600 009.

2 A.SHANMUGASUNDARAM
THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
N.V.NATARAJAN MALIGAI,
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KILPAUK, CHENNAI - 10.



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THE PRESIDENT,
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CO-OPERATIVE CREDIT SOCIETY,
KALLAKUDI VIA,
LALGUDI TALUK,
TRICHY DISTRICT.

ORDER
IN
SUB A(MD) Nos.34 and 35 of 2024
in
CONT P(MD) No.1293 of 2023
Date :09/02/2024

ED/ GS /SAR- (22/02/2024) 5P / 4C

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