



WEB COPY



Cont.P. No.1288/2---

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2025

CORAM

THE HONOURABLE Ms. JUSTICE R.N.MANJULA

Cont.P.No.1288 of 2023

Danipoul Skariya
S/o. Skariya
Aged about 36 years,
Residing at No.17/175, Uppatty Bazar,
Nelliyalam Pandalur Taluk,
Panthalur, Uppaty, Nilgiris – 643 241.

... Petitioner

Vs.

1. The Principal,
Government Arts and Science College,
Gudalur, Nilgiris – 643 212.

2. Dr.Rupa Gunaseelan,
The Registrar i/c,
Bharathiyar University,
Coimbatore.

... Respondents

(R2 impleaded as per the order of this Court made in Sub Appl.No.1071 of 2024 in Cont.P.No.1288/2023 dated 11.11.2024)

Contempt Petition is filed under Section 11 of Contempt of Courts Act, 1971, to punish the respondent herein for wilfully and wantonly violating the order of this Court dated 04.10.2018 passed in W.M.P.No.30166 of 2018 in W.P.No.25961 of 2018.



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For Petitioner : Mr.T.Saikrishnan
For R1 : Mr.R.Neethi Perumal
Government Advocate
For R2 : Mr.K.R.BDhaaranee

ORDER

This contempt petition has been filed by alleging that the order dated 04.10.2018 made in W.P.No.25951/2018 has not been complied.

2. The operative part of the above order is extracted below:

“ 3. No doubt the interim relief is also same as the final relief claimed in this writ petition. But considering the fact that the petitioner is said to have been appointed against the sanctioned post and discharging his duties and his appointment has also been approved and without any reasons he has not been allowed to enter into the college, this Court notwithstanding the aforesaid fact that the interim relief sought for is also the final relief, directs the third respondent, pending disposal of the writ petition, not to disturb the petitioner from attending the college and discharging his duties as Assistant Professor (Computer Science) until further orders. However, it is made clear that if the contentions raised are factually incorrect, the third respondent may come after receipt of a copy of this order for modification of the same.”

3. Consequent to the above order passed in the writ petition, the



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petitioner has been given with the benefit of compliance and he was allowed to discharge his duties. An order to that effect has been passed by the second respondent University on 02.11.2018. However on 07.07.2022 this petitioner and three others were not permitted to continue their engagement on consolidated pay in view of certain other complaints made against the petitioner and others.

4. The learned Government Advocate for the first respondent submitted that an exhaustive enquiry on the complaints made against the petitioner and others have been conducted and at the end of the enquiry it is found that the petitioner has violated the provisions of University Statutes Act, 1981 (conduct and service) Rules.

5. In such case the petitioner ought to have challenge the enquiry report and the order dated 07.07.2022 stopping him from continuing his engagement further. But a contempt petition has been filed as though the respondents did not comply the order dated 04.10.2018 made in W.P.No.25961/2018. As the contempt petition has been filed by misrepresenting the Court and without any base, it is liable to be closed.



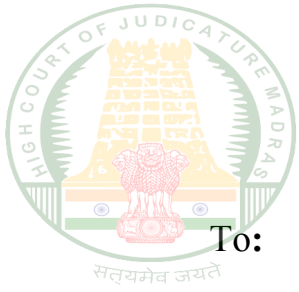
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6. Accordingly, the contempt petition is closed. No costs.

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Index : Yes/No
Speaking Order : Yes / No
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2. Dr.Rupa Gunaseelan,
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R.N.MANJULA, J.,

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