



CONT.P(MD)No.371 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 20.08.2025

CORAM

THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

CONT.P(MD)No.371 of 2022

M.Parthasarathi

... Petitioner

VS.

Dr.V.S.Vasantha,
Registrar,
Madurai Kamaraj University,
Palkalai Nagar, Madurai – 625 021

... Respondent

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Court to punish the contemnor/respondent for the deliberate and willful disobedience of the order of this Court made in W.P.(MD)No.14959 of 2011, dated 05.10.2020.

For Petitioner	:Mr.R.Murugan
For Respondent	:Mr.T.Cibi Chakraborty

ORDER

This Court, vide order dated 17.07.2025 passed the following order:

“Heard Mr.R.Murugan, learned counsel appearing for the Petitioner and Mr.T.Cibi Chakraborty, learned Standing Counsel accepts notice on behalf of the Respondent. Therefore, no further



WEB COPY



CONT.P(MD)No.371 of 2022

notice is required to be issued to the Respondent.

2. This Contempt Petition has been filed for non compliance of the judgment and order dated 05.10.2020 passed in W.P.(MD)No. 14959 of 2011 and the learned Single Judge of the Writ Court disposed of the said Writ Petition in the following terms:

“3.This being the factum, without expressing any opinion on merits, this Court is inclined to direct the third respondent to consider the representation submitted by the writ petitioner on 22.09.2011 and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose the copy of the said representation and all other connected documents along with the order passed by this Court

4.With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.”

3. Mr.R.Murugan, learned counsel appearing for the Petitioner submits that despite the judgment and order passed by the Writ Court dated 05.10.2020 in W.P.(MD)No.14959 of 2011, the Respondent has not complied with the directions of the Writ Court and they have wilfully and deliberately flouting the orders passed by this Court. Thus, the learned counsel submits that the Respondent is in contempt and he may be summoned before this Court and punished for committing contempt by exercising the powers under Sections 11 and 12 of the Contempt of Courts Act, 1971.

4. Upon perusing the judgment and order passed by this Court dated 05.10.2020 in W.P.(MD)No.14959 of 2011 as well as the affidavit filed in support of the contempt petition, which states that the Respondent has not complied with the orders of the Writ Court, this Court is of the view that the Respondent appears to have wilfully and deliberately disobeyed the order of the Writ Court. Consequently, this Court deems it necessary to initiate proceedings against the Respondent for their alleged non-compliance with the said orders.

5. At this juncture, Mr.T.Cibi Chakraborty the learned Standing Counsel for the Respondent, request time to ensure compliance with the judgment and order of the Writ Court dated 05.10.2020 in W.P.(MD)No.14959 of 2011. He also assure this Court that whatever order is passed by this Court will be fully complied with and requests two weeks time to ensure compliance



WEB COPY



CONT.P(MD)No.371 of 2022

with the said order. In this regard, he undertakes to file a compliance affidavit along with the decision taken by the Respondent on or before the next date fixed.

6. The learned counsel for the Petitioner submits that he has no objection to the request made by the learned Standing Counsel for the Respondent.

7. In view of the assurance given by Mr.T.Cibi Chakraborty, learned Standing Counsel for the Respondent, this Court grants the Respondent a final opportunity to comply with the judgment and order of the Writ Court dated 05.10.2020 in W.P.(MD)No.14959 of 2011, without fail, within a period of two weeks from today. The Respondent is directed to communicate the decision taken by him to the Petitioner and to file an affidavit of compliance in this regard within a period of two weeks from today. Failure to comply with this order within the stipulated timeframe will require the Respondent to appear in person before this Court on the next date fixed to justify why the Writ Court's order has not been complied with and thereafter this Court will proceed to initiate the contempt proceedings against the Respondent.

8. Put up this case on 20.08.2025 "For Orders" before this Court. 9. Let a copy of this order be given to Mr.T.Cibi Chakraborty, learned Standing Counsel for necessary compliance and information to the Respondent."

2.Today, when the matter is being taken up, Mr.T.Cibi Chakraborty, learned Standing Counsel for the respondent submits that in compliance of the order passed by this Court, dated 17.07.2025, produced an order, dated 18.08.2025, passed by the respondent and submits that the claim of the petitioner for re-fixation of seniority and retrospective promotion on the basis of his qualification was not considered, as he was not eligible for further promotion, as per the existing seniority. The order passed by the



CONT.P(MD)No.371 of 2022

respondent, dated 18.08.2025 is taken on record. A copy of the order passed by the respondent has also been given to the learned Counsel for the petitioner. Thus, the learned Standing Counsel submits that the judgment and order passed by this Court has been fully complied with by the respondent. He further submits that if the petitioner is aggrieved by the order, dated 18.08.2025, he may challenge the same before the competent Court of law. Thus, he submits that the respondent may be discharged from the present contempt proceedings and the present Contempt Petition may be disposed of.

3.Mr.R.Murugan, learned Counsel for the petitioner submits that he also received the copy of the order passed by the respondent, dated 18.08.2025 and submits that the respondent had decided the representation of the petitioner and the claim of the petitioner was rejected. He further submits that the petitioner may be given liberty to challenge the order passed by the respondent, dated 18.08.2025 before the competent Court of law. Thus, he submits that he has no objection that the respondent may be discharged from the present contempt proceedings and the Contempt Petition may be disposed of.



CONT.P(MD)No.371 of 2022

WEB COPY

4. After considering the arguments, as advanced by the learned Counsel for the parties and after perusal of the order passed by this Court in W.P.(MD)No.14959 of 2011, dated 05.10.2020, and the order passed by the respondent, dated 18.08.2025, and also the compliance affidavit filed by the respondent, this Court is also satisfied that the respondent has made fully complied with the directions issued by this Court and no useful purpose will be served in continuing the present contempt proceedings any further. Accordingly, the respondent is discharged from the present contempt proceedings and the present Contempt Petition is disposed of. If the petitioner is aggrieved by the order passed by the respondent, dated 18.08.2025, he may challenge the same before the competent Court of law. The file is consigned to record. No order as to costs.

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

20.08.2025

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CONT.P(MD)No.371 of 2022

SHAMIM AHMED, J.

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CONT.P(MD)No.371 of 2022

20.08.2025