



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13-08-2025

CORAM

THE HONOURABLE MR.JUSTICE SHAMIM AHMED

CONT P(MD) NO. 1694 of 2024

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C.Babu Rajan

S/o. A.chinnian, Nanthavanathu Veedu, Valvachagoshtam,
Kattadurai (post)-629 158, Kanyakumari District

Petitioner(s)

Vs

1.K.Phanindra Reddy

The Secretary, Transport Department, Fort Saint George,
Chennai-600009.

(R1 removed as per Court order dated 23.10.2024)

1. R.Mohan

The Managing Director, State Express Transport Corporation Ltd.,
Pallavan Street, Chennai-600 002.

2. V.Gunasekaran,

The General Manager(Administration),
State Express Transport Corporation Ltd.,
Pallavan Street,
Chennai- 600 002.

3. M.Thirunavukarasu,

The Branch Manager,
State Express Transport Corporation Ltd.,
Kanyakumari Branch,
Kanyakumari District-629 702

Respondent(s)

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Court to initiate contempt proceedings against the contemnors/respondents and punish the contemnors/respondents for the wilful disobedience of the order of this Court in W.P.(MD) No.13566 of 2022, dated 24.02.2023.



For Petitioner(s):

Mr.S.Louis

For Respondent(s):

Mr.S.C.Herold Singh,
standing counsel for respondents

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ORDER

This Contempt Petition has been filed with the prayer that the respondents/contemnors have not complied with the judgment and order passed by the Writ Court in W.P.(MD) No.17226 of 2017, dated 13.03.2019.

2.Heard Mr.S.Louis learned counsel for the petitioner and Mr.S.C.Herold Singh learned standing counsel for the Respondents.

3.This Court, vide order dated 18.07.2025, had passed the following order:-

“Heard Mr.S.Louis learned counsel for the petitioner and Mr.S.C.Herold Singh, learned standing counsel for the Respondents.

2.The present Contempt Petition has been filed to punish the respondents/contemnors for non compliance of the judgment and order passed by the Hon'ble Writ Court in W.P.(MD) No.17226 of 2017 dated 13.03.2019.

3.The Hon'ble Writ Court, vide judgment and order, dated 13.03.2019, was pleased to dispose of the said writ petition with the following directions:-

“4.Under such circumstances, this Court, without going into the merits of the case, directs the respondents to consider the petitioner's representation dated 07.07.2017, on merits and in accordance with law, and also in the light of the observation made by this Court in the order dated 21.11.2016 in WP (MD) No.22210 of 2016 and pass necessary orders, after affording due opportunity of hearing to the petitioner within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition is dispose No costs. ”

4.The learned counsel for the petitioner submits that despite the judgment and order



passed by this Court in W.P.(MD) No.17226 of 2017, dated 13.03.2019. The respondents have not complied with the directions of this Court and have wilfully deliberately flouted the order passed by this Court, dated 13.03.2019 and are in contempt of the judgment and order of this Court. Thus, they should be summoned and punished by exercising the powers under Sections 11 and 12 of the Contempt of Courts Act, 1971.

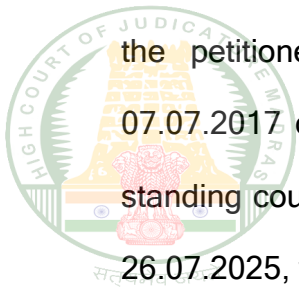
5.Mr.S.C.Herold Singh, who has accepted notice on behalf of the respondents, learned standing counsel, prays this Court that a last opportunity may be given to the respondents to make compliance of the judgment and order dated 13.03.2019 and the respondents will file a compliance affidavit, annexing a decision taken by them on or before the next date fixed.

6.Mr.S.Louis learned counsel for the petitioner has no objection to the aforesaid prayer made by the learned standing counsel for the respondents.

7.Accordingly, after hearing the learned counsel for the parties, after perusal of the judgment and order made in W.P.(MD) No.17226 of 2017 dated 13.03.2019 and also considering the request made by the learned standing counsel for the respondents/contemnors, as a last chance, this Court grants 10 days and no more further time to the respondents/contemnors to make full compliance of the directions issued by this Court in W.P.(MD) No.17226 of 2017, dated 13.03.2019 and to file an affidavit of compliance in this regard, annexing a decision taken by the respondents. The decision taken by the respondents shall also be communicated to the petitioner by the respondent through RPAD on or before the next date fixed. It is made clear that if the judgment and order, dated 13.03.2019, is not complied with on or before the next date fixed, the respondents are directed to appear in person before this Court on the next date of hearing and justify as to why the judgment and order dated 13.03.2019 is not complied with and as to why contempt proceedings should not be initiated as against them.

8.Put up this case 'for orders' on 13.08.2025 before this Court. Let a copy of this order be issued to Mr.S.C.Herold Singh, learned standing counsel for the respondents for its necessary compliance and information.”

4.Today, when the matter is taken up, Mr.S.C.Herold Singh, learned standing counsel for the respondents submits that in compliance of the judgment and order passed in W.P.(MD) No. 17226 of 2017, dated 13.03.2019, the respondents have considered the claim and grievances of



the petitioner and passed appropriate orders on the petitioner's representation dated 07.07.2017 on merits and in accordance with law on 17.07.2019. In this regard, the learned standing counsel for the respondents filed an affidavit of compliance of the respondents, dated 26.07.2025, wherein it has been stated as under:-

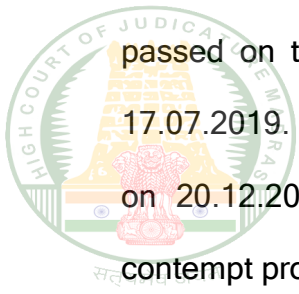
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“In compliance with the orders of this Hon'ble court, by communication, it was informed that the request of the petitioner was considered and based on the report of the 4th contemnor herein dated 17-07-2019, it reveals that the petitioner remains absent without any leave or permission or application in this regard from 02-10-2016 to 14-03-2017, therefore the said period was regularized as absent and with no work no pay however he was entitled for annual increment on 01-08-2017 which was granted to him from 01-08-2017 with monetary effect from 12-10-2017 thereby the said communication was forwarded to the petitioner and was received by the petitioner on 20.12.2019 as such the orders of this Hon'ble Court was complied in its letter and spirit.”

5. Thus, the learned standing counsel for the respondents submits that the respondents may be discharged from the present contempt proceedings and the present Contempt Petition may also be disposed of, accordingly, as the judgment and order passed by the Writ Court in W.P. (MD)No.17226 of 2017, dated 13.03.2019 has been fully complied with.

6. The compliance affidavit filed by the respondents, dated 26.07.2025 is taken on record and a copy of the same has also been given to the learned counsel for the petitioner.

7. Mr. S. Louis learned counsel for the petitioner submits that he has received a copy of the compliance affidavit filed by the respondents, dated 26.07.2025, wherein it has been stated that the claim and grievances of the petitioner has been considered and appropriate orders were



passed on the petitioner's representation, dated 07.07.2017 and in accordance with the order passed on 17.07.2019. It was further submitted that as the order has been communicated to the petitioner on 20.12.2019, he has no objection if the respondents are discharged from the present contempt proceedings and the present Contempt Petition may also be disposed of, accordingly.

8. Accordingly, in view of the submissions made by the learned counsel for the parties, after perusal of the judgment and order passed in W.P.(MD) No.17226 of 2017, dated 13.03.2019 and the compliance affidavit filed by the respondents, dated 26.07.2025, this Court is satisfied that the direction issued by the Writ Court in W.P.(MD) No.17226 of 2017, dated 13.03.2019 has been fully complied with by the respondents and no useful purpose will be served in continuing with the present contempt proceedings against the respondents.

9. Accordingly, the Contempt Petition is finally disposed of with liberty to the petitioners to challenge the aforesaid order, dated 17.07.2019, by which, the petitioner's representation, dated 07.07.2017, was disposed of in accordance with law before the competent Court of law, if the petitioner so desires and the respondents are discharged from the present contempt proceedings. The file is consigned to record. No costs.

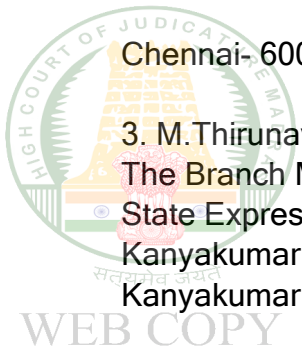
13.08.2025

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To

1. R.Mohan
The Managing Director, State Express Transport Corporation Ltd.,
Pallavan Street, Chennai-600 002.

2. V.Gunasekaran,
The General Manager(Administration),
State Express Transport Corporation Ltd.,
Pallavan Street,



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The Branch Manager,
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