



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14-08-2025

CORAM

THE HONOURABLE MR.JUSTICE SHAMIM AHMED

CONT P(MD) NO. 2467 of 2024

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1.Murugan
S/o. Madasamy, No.17A, Kottaiyadi Street, Tirunelveli Town,
Tirunelveli-627 006

2.Mariappan,
S/o.S.Subramani,
No.7, Muppindari Amman Kovil North Street,
Rajajipuram,
Tirunelveli Town,
Tirunelveli 627 006.

3.Jeyalakshmi,
W/o. C.Nagarajan,
No.3-4-51, Kaliamman Kovil Street,
Elathur Post,
Shencottah Taluk,
Tirunelveli 627 803

Petitioner(s)

Vs

Dr.J.Sacratees
Registrar, Manonmaniam Sundaranar University, Abhishekapatti,
Tirunelveli-627 012

Respondent(s)

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Court to punish the contemnor/respondent herein for his deliberate and wilful disobedience of the order of this Court dated 03.10.2015 in W.P.(MD) No.15322 of 2014 under Section 11 of the Contempt of Courts Act, 1971.

For Petitioner(s):

Ms.Nandhini Priyadharshini



For Respondent(s):

Ms.Jesima Yasmin for
M/s.Ajmal Associates

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ORDER

This Contempt Petition has been filed to punish the contemnor/respondent for wilfully disobeying and not complying with the order of the Writ Court passed in W.P(MD) No.15322 of 2014, dated 03.10.2015.

2.Heard Ms.Nandhini Priyadharshini, learned counsel for the petitioners and Mrs.Jessima Yasmin for M/S.Ajmal Associates appearing for the respondent.

3.This Court, vide order dated 22.07.2025, had passed the following order:-

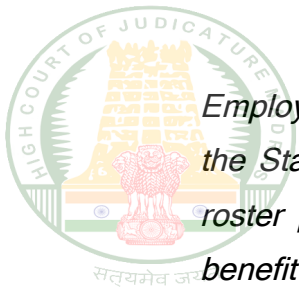
“Heard Ms.Nandhini Priyadharshini, learned counsel for the petitioners and Ms.Jessima Yasmin for M/S.Ajmal Associates learned standing counsel for the respondent.

2.This Court, vide order dated 04.07.2025, had passed the following order:-

“Heard Ms.Nandhini Priyadharshini, learned counsel for the Petitioners and Mrs.Jasima Yasmin, learned counsel for M/s.Ajmal Associates accepts notice on behalf of the Respondent. Therefore, no further notice is required to be issued to the Respondent.

2.The Contempt Petition has been filed for non-compliance of the judgment and order passed by the Writ Court in W.P.(MD)No.15322 of 2014 along with other batch of Writ Petitions, wherein leading Writ Petition is W.P.(MD) No.13229 of 2014, dated 30.10.2015 and the learned Single Judge of this Court disposed of the said Writ Petitions in the following terms:

“11. Thus, When the Vice Chancellor of the University, after appointing a number of persons on temporary basis without reference to employment exchange, regularised their Services, the petitioners, who had already been sponsored through



Employment Exchange and who underwent the selection process as prescribed

the Statutes and subsequently appointed based on their performance and as per roster points, thereby, already they fulfilled the qualification criteria, deserve the benefit of regularisation. Accordingly, the University is hereby directed to absorb them against the respective cadres like Steno (if not holding Tamil stenography, with condition to Complete the same within a period of time to be stipulated) / Junior Assistant / Plumber / Electrician / Office Assistant, as readily done in the case of many back-door entrants which aspect is evident from the Resolutions of the Syndicate, annexed to the common re-joinder affidavit, by passing appropriate proceedings within one week from the date of receipt of a copy of this order.

11. Writ Petitions are disposed of in the above terms. No costs. Connected Miscellaneous Petitions stand closed.”

3. The learned counsel for the Petitioners further submits that against the judgment and order passed by the Writ Court dated 30.10.2015 in W.P.(MD) No.15322 of 2014 (leading Writ Petition is W.P.(MD)No.13229 of 2014 etc., batch), the Respondents preferred a Writ Appeal along with batch of other Writ Appeals wherein leading Writ Appeal is CMP(MD)Nos.14214 of 2023 etc., batch in W.A. (MD)Nos.SR75181 of 2023 etc., batch, and the Hon'ble Division Bench of this Court vide order dated 27.06.2024 dismissed the Writ Appeal at SR stage itself. The learned counsel submits that the Respondent cannot get any indulgence or sympathy from this Court since the Hon'ble Division Bench dismissed the said Writ Appeal. The learned counsel therefore submits that the Respondent failure to comply with the directions of the Writ Court amounts to wilful and deliberate disobedience.

4. Upon perusing the judgment and order passed by the Writ Court dated 30.10.2015 in W.P.(MD)No.15322 of 2014 and the Appellate Court dated 27.06.2024 in CMP(MD)Nos.14214 of 2023 etc., batch in W.A.(MD)Nos.SR75181 of 2023 etc., batch, 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 this Court. Consequently, this Court deems it



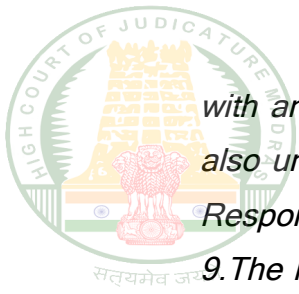
necessary to initiate proceedings against the Respondent for their alk noncompliance with the said orders.

5.At this juncture, Mrs.Jasima Yasmin, learned counsel for M/s.Ajmal Associates, appearing for the Respondent University submits that as against the order passed by the Appellate Court dated 27.06.2024 in CMP(MD)Nos.14214 of 2023 etc., batch in W.A.(MD)Nos.SR75181 of 2023 etc., batch, a Review Application has been filed bearing Review (MD)No.SR.75636 of 2024.

6.When this Court posed the question to the learned counsel for the Respondent University regarding whether any interim order had been passed in the Review Application, she submitted that no interim order had been passed and the Review Application was still at the SR stage.

7.The learned counsel for the Petitioners submits that this is a ploy adopted by the Respondent to frustrate the contempt proceedings and evade compliance with the judgment and order passed by the Writ Court dated 30.10.2015 in W.P.(MD)No. 15322 of 2014, as well as the Appellate Court dated 27.06.2024 in CMP(MD)Nos. 14214 of 2023 etc., batch in W.A.(MD)Nos.SR75181 of 2023 etc., batch. She submits that since no interim order has been passed in the Review Application, the judgment and order of the Writ Court and the Appellate Court stand, and the Respondents' failure to comply with the directions of the Writ Court amounts to wilful and deliberate disobedience. Mere filing of a Review Application does not confer any benefit upon the Respondent. It appears that the application was filed solely as a ploy to frustrate the judgment passed by both the Writ Court and the Appellate Court, by keeping the Review Application pending. The scope of filing a Review Application is very limited, and the Respondent cannot seek shelter under the plea of a pending Review Application. The learned counsel therefore submits that the Respondent is in contempt and may be summoned before this Court and punished for committing contempt under Sections 11 and 12 of the Contempt of Courts Act, 1971.

8.Mrs.Jasima Yasmin, learned counsel for M/s.Ajmal Associates, appearing for the Respondent University requests time to ensure compliance with the judgment and order of the Writ Court dated 30.10.2015 in W.P.(MD)No.15322 of 2014. She also assures this Court that whatever order is passed by this Court will be fully complied



with and requests two weeks time to ensure compliance with the said order.

also undertakes to file a compliance affidavit along with the decision taken by the Respondent on or before the next date fixed.

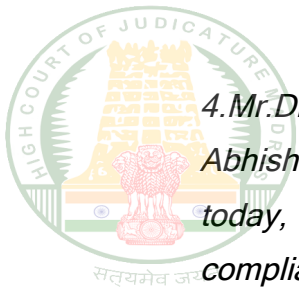
9. The learned counsel for the Petitioners has no objection to the request made by the learned counsel for the Respondent University.

10. In view of the assurance made by the learned counsel for the Respondent University, this Court grants the Respondent a final opportunity to comply with the judgment and order of the Writ Court dated 30.10.2015 in W.P. (MD) No. 15322 of 2014, without fail, within a period of two weeks from today. The Respondent is directed to communicate their decision to the Petitioner and file an affidavit of compliance within the same period. 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 order of the Writ Court has not been complied with.

11. Put up this case on 22.07.2025 "For Further Orders" before this Court.

12. Let a copy of this order be given to Mrs. Jasima Yasmin, learned counsel for M/s. Ajmal Associates, for its necessary compliance and information to the Respondent. "

3. Ms. Jessima Yasmin for M/S. Ajmal Associates learned standing counsel for the respondent informs this Court that in compliance of the order dated 04.07.2025, the respondent, namely, Dr. J. Sacratees, the Registrar, Manonmaniam Sundaranar University, Abhishekapatti, Tirunelveli 627 012, is present in person before this Court today and submits that there are some paper formalities left to be done to comply with the judgment and passed by the Writ Court in W.P.(MD) No. 15322 of 2014, dated 30.10.2015 as well the directions issued by this Court in Cont.P.(MD) No. 2467 of 2024, dated 04.07.2025. Thus, she prays this Court that one last opportunity may be given to the respondent to make compliance of the judgment and order passed by the Writ Court dated 30.10.2015 as well the direction issued by this Court dated 04.07.2025 and the respondent will file a compliance affidavit, annexing a decision taken by him in this regard on or before the next date fixed.



4.Mr.Dr.J.Sacratees, the Registrar, Manonmaniam Sundaranar Unive. Abhishekapatti, Tirunelveli 627 012, who is present in person before this Court today, also prays this Court that one last opportunity may be given to him to make compliance of the judgment and order passed by the Writ Court dated 30.10.2015 as well the direction issued by this Court, dated 04.07.2025 and to file an affidavit of compliance in this regard and also prays this Court that his personal appearance may be dispensed with.

5.Ms.Nandhini Priyadharshini, learned counsel for the petitioners submits that the respondent is taking time on every hearing to make compliance of the judgment and order passed by the Writ Court dated 30.10.2015, however, she has no objection to the aforesaid prayer made by Ms.Jessima Yasmin for M/S.Ajmal Associates learned standing counsel for the respondent, as there are some paper formalities left to be done.

6.Accordingly, after hearing the learned counsel for the parties, after perusal of the judgment and order made in W.P.(MD) No.15322 of 2014 dated 30.10.2015 as well as the order of this Court in Cont.P.(MD) No.2467 of 2024, dated 04.07.2025 and also considering the request made by Ms.Jessima Yasmin for M/S.Ajmal Associates learned standing counsel for the respondent and as per the assurance given by Mr.Dr.J.Sacratees, the Registrar, Manonmaniam Sundaranar University, Abhishekapatti, Tirunelveli 627 012, who is present in person before this Court today, that the judgment and order passed by the Writ Court dated 30.10.2015 as well the direction issued by this Court, dated 04.07.2025 will be complied with on or before the next date fixed, as a last chance, this Court grants 10 days and no more further time to the respondent/contemnor to make compliance of the directions issued by the Writ Court in W.P.(MD) No.15322 of 2014 dated 30.10.2015 as well as the direction issued by this Court in Cont.P.(MD) No.2467 of 2024, dated 04.07.2025 and to file an affidavit of compliance in this regard, annexing a decision taken by the respondent. The decision taken by the respondent shall also be communicated to the petitioners by the respondent through RPAD on or before the next date fixed. It is made clear that if the judgment and order, dated 30.10.2015 as well as the direction of this Court, dated 04.07.2025 is not complied with on or before the next date fixed, the respondent is directed to appear in person before this Court to justify as to why the judgment and order dated 30.10.2015 and 04.07.2025 is not complied with and as to why contempt proceedings should not be initiated as against him.



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7. Put up this case 'for further orders' on 14.08.2025 before this Court. Let a copy of this order be issued to Ms. Jessima Yasmin for M/S. Ajmal Associates learned standing counsel for the respondent for its necessary compliance and information."

4. Today, when the matter is taken up, Ms. Jessima Yasmin for M/S. Ajmal Associates learned counsel appearing for the respondent submits that she has already filed an affidavit of compliance, dated 13.08.2025, of the respondent, annexing a copy of the decision taken by respondent, dated 11.08.2025, in which it has been stated that the judgment and order passed by the Writ Court in W.P.(MD) No.15322 of 2014, dated 03.10.2015, has been fully complied with and the petitioners' services have been regularized on the post of Office Assistant in the regular budget vacancy with retrospective effect from 30.10.2015 as per Rules.

5. The aforesaid fact has been clearly stated in paragraph No.5 of the compliance affidavit filed by the respondent, dated 13.08.2025, which is being reproduced herein below:-

"6. I respectfully state that in compliance of the said order, I respectfully submit that the Respondent University has passed an order in proceedings in Memo No.MSU/R/Estt./Admn/E3/Appt./2025 dated 11.08.2025, regularising the services of the Petitioners as Office Assistant in the regular budget vacancy, with retrospective effect from 30.10.2015, in the Pay Matrix (Level 1) of ₹15,700-50,000 plus usual allowances as admissible under the rules."

6. Thus, the learned counsel for the respondent submits that the respondent may be discharged from the present contempt proceedings and the present Contempt Petition may also be disposed of, accordingly, as the judgment and order of the Writ Court dated 03.10.2015 has been fully complied with by the respondent, vide order dated 11.08.2025 and the petitioners'



services have also been regularized on the post of Office Assistant in the regular budget vacancy with retrospective effect from 30.10.2015 as per Rules.

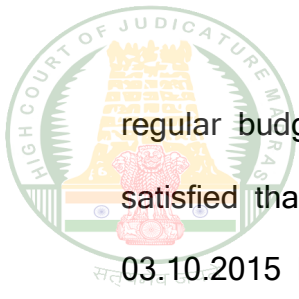
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7.The compliance affidavit, dated 13.08.2025, filed by the respondent is taken on record and a copy of the same has also been given to the learned counsel for the petitioners.

8.Ms.Nandhini Priyadharshini, learned counsel for the petitioners, submits that she has received a copy of the compliance affidavit, dated 13.08.2025, of the respondent, annexing a copy of the decision taken by him, dated 11.08.2025 and submits that the respondent has made full compliance of the judgment and order passed by the Writ Court in W.P.(MD) No.15322 of 2014, dated 03.10.2015.

9.It was further submitted that the petitioners' services have been regularized on the post of Office Assistant in the regular budget vacancy with retrospective effect from 30.10.2015 as per Rules. Thus, she submits that she has no objection, if the respondent is discharged from the present contempt proceedings, as the judgment and order of the Writ Court dated 03.10.2015 has been fully complied with by the respondent, vide order dated 11.08.2025 and the present Contempt Petition may also be disposed of.

10.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.15322 of 2014, dated 03.10.2015 and after perusal of the order passed by the respondent, dated 11.08.2025 and also considering the fact that the petitioners' services have been regularized on the post of Office Assistant in the



regular budget vacancy with retrospective effect from 30.10.2015 as per Rules, and the Court satisfied that the direction issued by the Writ Court in W.P.(MD) No.15322 of 2014, dated 03.10.2015 has been fully complied with by the respondent and there is no justification in continuing the present contempt proceedings against the respondent.

11. Accordingly, the Contempt Petition is finally disposed of and the respondent is discharged from the present contempt proceedings. The file is consigned to record. No costs.

14.08.2025

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To

1. Dr.J.Sacratees
Registrar,
Manonmaniam Sundaranar University,
Abhishekapatti,
Tirunelveli-627 012



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SHAMIM AHMED, v.

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Contempt Petition (MD)No.2467 of 2024

14.08.2025