



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Original Jurisdiction)

Friday, the Third day of December Two Thousand Twenty One

PRESENT

THE HON`BLE MR.JUSTICE PARESH UPADHYAY

AND

THE HON`BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

LPA.NOS.1 AND 2 OF 2021

1 TAMIL NADU STATE APEX [APPELLANTS IN BOTH THE APPEALS]
CO-OPERATIVE BANK OFFICERS UNION,
REG.NO.2506/MDS REP.BY ITS GENERAL SECRETARY,
NO.233, NSC BOSE ROAD, CHENNAI 600 001.

2 MR.G.VAIRAPPAN, PRESIDENT
TAMIL NADU STATE APEX CO-OPERATIVE BANK
OFFICERS UNION, SUNDARAILLAM NO.3,
VALLAR STREET, ANNAI INDRA NAGAR,
VELACHERRY, CHENNAI 600 042.

3 MR.J.VENKATESHWARAN
GENERAL SECRETARY,
TAMIL NADU STATE APEX CO-OPERATIVE BANK
OFFICERS UNION, FLAT NO. 12D, NO.3/81,
PARTHASARATHY NAGAR, THORAIPAKKAM,
CHENNAI 600 096

Vs

R.KRISHNARAJAN [RESPONDENT IN LPA.NO.1/2021]
CHIEF MANAGER, TNSC BANK,
NO.233, NSC BOSE ROAD,
CHENNAI 600 001.

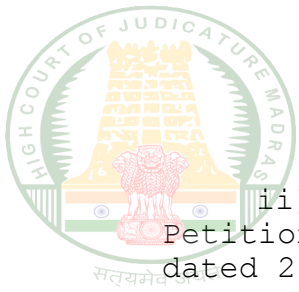
1 T.BASKARAN [RESPONDENTS IN LPA.NO.2/2021]

2 R.KRIHNARAJAN

3 R.G.SAKTHI SARAVANAN

4 V.P.CHANDRIKA

Letter Patent Appeal against common order in Contempt Petition
No.1461/2021 passed by THE HON`BLE MR JUSTICE C.SARAVANAN, dated
23.11.2021 (in LPA.No.1/2021) and;



(ii) Letter Patent Appeal against common order in Contempt Petition No.1048/2021 passed by THE HON'BLE MR JUSTICE C.SARAVANAN, dated 23.11.2021 (In LPA.No.2/2021)

WEB COPY

Order : This Appeal coming on this day for hearing on this day upon perusing the Grounds of Appeal, the orders of THE HON'BLE MR.JUSTICE C.SARAVANAN dated 23.11.2021 and made in the exercise of the Contempt Jurisdiction of the High Court in Contempt Petition No.1461 and 1048/2021 and all other material paper in this cases and upon hearing the arguments of M/S.V.PRAKASH, Senior Counsel for the Appellants in both the appeals and of MR.NGR.PRASAD, Advocate for M/S.ROW AND REDDY, Advocate for the Respondents in both the Appeals, the Court made the following order:-

(Order of the Court was made by PARESH UPADHYAY, J.)

These two appeals are filed under Clause 15 of the Letters Patent Act challenging the order passed by learned single Judge dated 23 November 2021 recorded on Contempt Petition Nos.1048 and 1461 of 2021.

2. Heard Mr.V.Prakash, learned senior advocate for the appellants and Mr.N.G.R.Prasad, learned advocate for the contesting respondent.

3. Learned advocate for the contesting respondent has raised the preliminary issue about maintainability of these appeals. According to him, in view of the provisions of the Contempt of Courts Act, appeal would lie only if final order is passed, holding someone guilty of contempt. According to him, since in the present case that is not the eventuality, these appeals are not maintainable.

4. Prima facie it may not be open to contest these appeals by taking support from Section 19 of the Act as attempted on behalf of the respondent. These appeals, as the cause titles indicate, are not challenging the final order recording punishment against any person but they are under Clause 15 of the Letters Patent Act, making grievance that beyond dismissing contempt petitions, other observations / clarifications / directions could not have been recorded by learned Single Judge.

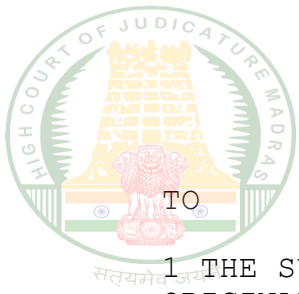
5. Learned advocate for the contesting respondent prays for time to file counter. At his request, list on 10.12.2021.

-sd/-

03/12/2021

/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.



TO

1 THE SUB ASSISTANT REGISTRAR
ORIGINAL SIDE, HIGH COURT,
CHENNAI-104

COPY TO:

THE SECTION OFFICER
CONTEMPT SECTION HIGH COURT,
CHENNAI-104

Order
in
LPA.NOS.1 AND 2 OF 2021

Date :03/12/2021

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
PM(07/12/2021)