

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2015

CORAM

THE HONOURABLE MR. **JUSTICE M.M.SUNDRESH**

Contempt Petition No.248 of 2015

Dr.S.Srinivas, BNYS,
18F1, Rettai Pillayar Koil Street,
Pudupalayam, Cuddalore District. ...Petitioner

Vs

1. Dr.J.Radhakrishnan, I.A.S.,
The Secretary to Government,
Health and Family Planning Department,
Fort St.George, Chennai - 9,
2. Mr.Apporva, I.A.S.,
The Commissioner of Indian
Medicine and Homoeopathy,
Anna Hospital, Arumbakkam,
Chennai - 106. ... Respondents

Prayer: Contempt Petition filed under Sections 11 of the Contempt of Courts Act, 70/71 to punish the respondent under the Contempt of Courts Act, 1971 for wilfully disobeying the lawful orders of this Court passed in W.P.No.28306 of 2014 dated 30.10.2014.

For Petitioner : Ms.G.Sridevi
For Respondent : Mr.P.Rajalakshmi,
Govt.Advocate

O R D E R

<https://hcservices.ecourts.gov.in/hcservices/> taking note of the pendency of the representation dated 30.9.2014 made by the petitioner seeking appointment

to the post of Assistant Medical Officer in Yoga and Naturopathy Life Style Clinics in Government Head Quarters Hospitals and 18 Medical College Hospitals in the State of Tamil Nadu, a direction was issued by this Court in W.P.No.28306 of 2014 by order dated 30.10.2014, which reads as under:

"2. The Petitioner is a Doctor in Yoga and Naturopathy. He has also registered his name in Professional Employment Office in Chennai with his Registration No.CHP2007M 00017074 dated 25.07.2007. He also belongs to Adi Andra Community which is said to be coming under the Scheduled Caste Category. Seeking appointment to the post of Assistant Medical Officer, the petitioner made a representation to the second respondent on 30.09.2014. As no order has been passed on the said representation, the petitioner has filed this writ petition.

3. Considering the limited scope of relief sought for in this writ petition, the respondents 1 to 3 are directed to dispose of the representation, dated 30.09.2014, on merits and in accordance with law, within a period of 8 weeks from the date of receipt of a copy of this order...."

2. Alleging that the above said order has not been complied with, the petitioner has filed the present contempt application.

3. When the matter is taken up today for hearing, learned Government Advocate appearing for the respondents has produced the proceedings of the 2nd respondent dated 22.01.2015, by which the representation dated 30.9.2014 made by the petitioner was disposed of.

4. Learned counsel appearing for the petitioner submitted that the said order is not in compliance with the order passed by this Court. As against the 49 posts of Assistant Medical Officers (Yoga Naturopathy) sanctioned to the Yoga and Naturopathy Lifestyle Clinics, 38 have been filled up by absorbing the Consultants in the system of Yoga and Naturopathy under NRHM Scheme leaving only 11 posts. Even for filling up the remaining 11 posts, the Chairman, Medical Services Recruitment Board, Chennai was addressed to fill up the vacancies as per the order of the Government.

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5. This Court is unable to accept the said submission made by the learned counsel for the petitioner, which would touch upon the merits of the case. This Court merely directed the respondents to have a re-look on the representation of the petitioner, which was duly complied with. If the petitioner is having any grievance against the

proceedings dated 22.01.2015, he has to assail the same in the manner known to law. Therefore, the contempt petition is closed.

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SD/-
DEPUTY REGISTRAR(OS)

//Certified to be true copy//

Dated at Madras this the day of 2014.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.

SS/CO/16/12/2014

One CC to Government Pleader, SR.3080

One CC to M/s.G.Sridevi, Advocate, SR.2913

To

1. Dr.J.Radhakrishnan, I.A.S.,
The Secretary to Government,
Health and Family Planning Department,
Fort St.George, Chennai - 9,

2. Mr.Apporva, I.A.S.,
The Commissioner of Indian
Medicine and Homoeopathy,
Anna Hospital, Arumbakkam,
Chennai - 106.

सत्यमेव जयते
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