

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.02.2016

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

Cont.P.No.2123 of 2015

1. R.Thiruvengadam
2. Syed Abuthaheir ... Petitioners

Vs.

Mr.Venkates
State of Tamil Nadu
Principal Secretary to Government
Revenue Department
Secretariat, Chennai 600 009. ... Respondent

Petition filed under Section 11 of the Contempt of Courts Act to punish the respondent herein for the willful disobedience of the order of this Court passed in W.P.No.12293 of 2015 dated 24.04.2015.

For Petitioner : Mr.V.Raghupathi

For Respondent : Mr.T.N.Rajagopalan
Special Government Pleader

ORDER

This contempt petition is filed for the alleged non-compliance of the order dated 24.04.2015 passed by this Court in W.P.No. 12293 of 2015.

2. When the matter is taken up today, the learned Special Government Pleader, appearing on behalf of the respondent by producing a copy of the G.O.(Ms)No.90, Revenue [Ser.7(1)] Department dated 22.02.2016, would submit that the conditional

order passed by this Court has been complied with.

3. However, the learned counsel for the petitioners would submit that the order passed by this Court has not been complied with.

4. In view of the above submission made on either side, it is relevant to see as to whether the order passed by this Court in W.P.No. 12293 of 2015 dated 24.04.2015 has been complied with or not by the respondent. The relevant portion of the said order is that the concerned District Collectors were directed to send proposals to the Principal Secretary/Commissioner of Revenue Administration as directed by the second respondent in the letter dated 01.11.2010 within a period of three weeks from the date of receipt of a copy of the order and the Government was directed to pass orders thereon within a period of 12 weeks thereafter and except the above direction, no other direction was issued by this Court in the said order, while disposing of the writ petition. Hence, based on the proposals sent by the respective District Collectors, the Government has passed an order in G.O.(Ms)No.90 dated 22.02.2016.

5. Learned counsel appearing for the petitioners would now submit that as per the said Government Order, the petitioners would be given only notional benefit from the date of their regularization and monetary benefit from the date of issuance of the aforesaid Government Order. Hence, the petitioners have grievance over the same.

6. If the petitioners are having any such grievance, they

are at liberty to question the aforesaid Government Order issued by the respondent.

7. However, the grievance expressed by the petitioners over para No.9 of the Government Order has some substance. Para No.9 of the order passed by the respondent in G.O.(Ms)No.90, Revenue [Ser.7(1)] Department dated 22.02.2016 is extracted here under for ready reference:

"9. The Principal Secretary and Commissioner of Revenue Administration is directed to take necessary action to regularize the services of the Village Administrative Officers as detailed in the Annexure to this order."

8. At this juncture, learned counsel for the petitioners would submit that the petitioners are all senior citizens and if no time limit is given to the respondent to pay the terminal benefits as per G.O.(Ms)No.90, the petitioners could not know as to when they could realize the benefits of the Government Order.

9. In these circumstances, while giving liberty to the petitioners to question the aforesaid Government Order, if they are aggrieved, a direction is issued to the Principal Secretary and Commissioner of Revenue Administration to take appropriate steps to regularize the services of the Village Administrative Officers in accordance with the Government Order passed in G.O.

(Ms)No.90, Revenue [Ser.7(1)] Department dated 22.02.2016 and to pay the benefits as per the Government Order within a period of

two months from the date of receipt of a copy of this order. The respondent Government is further directed to ensure that the G.O.(Ms)No.90 issued by them is implemented as stated above.

10. With the above observation, this contempt petition is closed.

SD/
DEPUTY REGISTRAR(OS)

//Certified to be true copy//

Dated at Madras this the day of 2016.

COURT OFFICER(O.S.)

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RLD/CO/18/03/2016

One CC to Government Pleader, SR.2535

One CC to Mr.V.Raghupathi, Advocate, SR.2475

To

1. The Principal Secretary to Government,
Revenue Department, Secretariat, Chennai - 9.

2. The Principal Secretary and Commissioner
of Revenue Administration, Chennai-5.

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