



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 27.09.2016

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THE HON'BLE DR.JUSTICE S.VIMALA

Cont P(MD)Nos.47 to 49 of 2016
and WP.(MD).No.11076/14, WP.(MD).No.11476/14 and
WP.(MD).No.4479/15

T.Saint Revirajan .. Petitioner in Cont.P(MD)No.47/16
T.Antony Xavier Raj .. Petitioner in Cont.P(MD)No.48/16
P.MAruthiah .. Petitioner in Cont.P(MD)No.49/16

Vs.

1.T.Prabakar Rao I.A.S.,
Principal Secretary to Government,
Transport Department,
Secretariat, Chennai - 600 009.

2.Gajendran (Incharge)
Managing Director
TNSTC, Madurai,
Tamil Nadu State Transport Corporation
Tirunelveli Ltd,
Kattabomman Nagar,
Maharaja Nagar,
Tirunelveli District.

3.Gajendran
General Manager,
Tamil Nadu State Transport Corporation
Tirunelveli Ltd,
Vannarpet, Tirunelveli,
Tirunelveli District.

.. Respondents in Cont P(MD)Nos.47 & 49/16

Gajendran (Incharge)
Managing Director
TNSTC, Madurai,
Tamil Nadu State Transport Corporation
Tirunelveli Ltd,
Kattabomman Nagar,
Maharaja Nagar,
Tirunelveli District.

.. Respondent in Cont P(MD)No.48/16



Contempt Petitions filed under Section 11 of Contempt of Court Act, 1971 praying to punish the respondents for the deliberate violation and wilful disobedience of the order dated 12.10.2015 made in W.P(MD)Nos.11076 of 2014, 11476/2014 & 4479/2015 on the file of this Court and thus render justice.

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Prayer in WP(MD). 11076/ 2014 :

Writ Petition is filed under Article 226 of the Constitution of India, for the issuance of a Writ of Mandamus, directing the Respondents to consider the Petitioner's representation dated 16.06.2014 and re-designate the Petitioner as Junior Assistant respectively from the date on which the Petitioner obtained the degree in the same manner the posts of the persons who were appointed along with the Petitioner as Record Clerks were re-designated as Junior Assistant from the date of their acquiring degree.

Prayer in WP(MD). 11476/ 2014 :

Writ Petition is filed under Article 226 of the Constitution of India, for the issuance of a writ petitioner as Junior Assistant with effect from the date of his completion of degree on April 1988 and to grant all consequential benefits by considering the representation of the petitioner dated 19.6.2014.

Prayer in WP(MD). 4479/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified mandamus or writ or direction in the nature or a writ, calling for the records relating to the proceedings of the impugned order in Ka.No. 12599/Niya2/TNSTC/Thili/14 dated 25.10.2014 on the file of the 3rd Respondent and quash the same and directing the Respondents to re designate the Petitioner as Junior Assistant with effect from the date of his completion of degree in the month of November 1986 and to grant consequential benefits.

For Petitioner	:	Mr.S.Loganathan (all petitions)
For R - 1	:	Mr.V.Pandi Government Advocate (Cont P(MD)Nos.47 & 49/16)
For RR - 2 & 3	:	Mr.K.Sathiyasingh (Cont P(MD)Nos.47 & 49/16)
For Respondent	:	Mr.K.Sathiyasingh (Cont P(MD)No.48/16)

This Court by the order dated 12.10.2015, directed the respondents to re-designate all the petitioners as Junior



Assistants from the date of acquisition of degree without granting benefit of back-wages within a period of four weeks from the date of receipt of a copy of the order.

2. Contending that there is no compliance of the order and the conduct exhibited by the respondents amounted to wilful disobedience to the order passed by this Court, this Contempt Petition has been filed.

3. The learned counsel appearing for the third respondent would submit that the order passed by this Court dated 12.10.2015 has been complied with and to that effect, he has produced the proceedings of the third respondent dated 23.01.2016 in No.14882/P2/TNSTC/TNV/2015. However, it is represented that there is a mistake in mentioning the date of notional effect and the correct date of notional effect should be mentioned as under:

P.Maruthiah - petitioner in Cont.P(MD)No.49/2016 - 01.02.2008

S.Saint Ravirajan - petitioner in Cont.P(MD)No.47/2016 - 01.05.2008

T.Antony Xavier Raj - petitioner in Cont.P(MD)No.48/2016 - 01.05.2009

4. There is an undertaking on the part of the respondents to correct the mistake within a period of four weeks from the date of receipt of a copy of this order.

6. In view of the undertaking given by the learned counsel for the respondents, these Contempt Petitions are closed.

Sd/-

Assistant Registrar(T&P)

/True copy/

Sub Assistant Registrar

TO

1. T. Prabakar Rao I.A.S.,
Principal Secretary to Government,
Transport Department,
Secretariat,
Chennai - 600 009.



2.Gajendran (Incharge)
Managing Director
TNSTC, Madurai,
Tamil Nadu State Transport Corporation
Tirunelveli Ltd,
Kattabomman Nagar,
Maharaja Nagar,
Tirunelveli District.

3.Gajendran
General Manager,
Tamil Nadu State Transport Corporation
Tirunelveli Ltd,
Vannarpet, Tirunelveli,
Tirunelveli District.

+3cc to Mr.K.Sathiya Singh, Advocate SR.No.56594,56596,56597
+1cc to Special Government Pleader SR.No.56623

mj
sm:CK:21/10/2016:4P/8C

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