

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2017

CORAM

THE HON'BLE MR. JUSTICE **R. SURESHKUMAR**

CONT.PETITION.No.1291 of 2017
in W.P.No.23457 of 2010

T.Swamydoss, Ex.PC 9998
Son of Thankiyan
80/11, Mugappair Road,
Padi, Chennai 600 050. Petitioner

vs

Dr.Niranjan Mardi, I.A.S.
Principal Secretary to Government,
Home (Police-V) Department,
Secretariat, Chennai 600 009. Respondent

Contempt Petition is filed with a prayer to punish the respondents for their willful disobedience and non-compliance of the order of this Court made in W.P.No.23457 of 2010, dated 25.10.2016.

For Petitioner ... Mr.S.Thankasivan

For Respondent ... Mr.K.Venkataramani,
Additional Advocate General
Assisted by Mr.M.Elumalai,

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ORDER

This Contempt Petition has been filed to take action against the respondent, for the non-compliance of the order of this Court passed in W.P.No.23457 of 2010, dated 25.10.2016.

2.In the said judgment, this Court has passed the

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following order:

"In the result, the writ petition is allowed and the impugned order is quashed. Insofar as the further action on the part of the respondent, for taking back the petitioner by way of of reinstatement, though this Court is not inclined to give any positive direction, but direct the respondent to take a pragmatic view taking into account of all the aforementioned instances, earlier orders passed by the Government as well the Director General of Police ofcourse, the principles as enunciated by the Hon'ble Apex Court in the Judgments referred to above. Since the petitioner has completed long years of service without any blemish and that is the only incident in his career even for which also, he is not responsible according to him from the records shown before this Court, this Court expects that certainly a lenient view would be taken by the respondent by passing order for the purpose of reinstatement."

3. Today, Mr.K.Venkataramani, learned Additional Advocate General assisted by Mr.M.Elumalai, the learned Government Advocate appearing for the respondents has produced the Government Order in G.O.(2D)No.294/Home (Police-5) Department, dated 19.09.2017.

4. On perusal of the said Government Order it discloses that, the Government pursuant to the directions issued by this Court as referred to above in W.P.No.23457

of 2010, has passed this Government Order rejecting the claim of the petitioner for re-instatement.

5. In view of the said rejection order having been passed by the respondent, pursuant to the directions issued by this Court as extracted above, this Court cannot proceed further in this contempt petition. Therefore, this contempt petition is closed. However, it is open to the petitioner to challenge the said Government order i.e., G.O.(2D)No.294/Home (Police-5) Department, dated 19.09.2017, if he is aggrieved by the same, in a manner known to law.

6. With this observation, this Contempt petition is closed.

SD/-
ASSISTANT REGISTRAR (COMM.CASES)
smi

//Certified to be true copy//

Dated at Madras this the day of 2017.

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one cc to the Government Pleader, SR.No.15604.

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one cc to the Mr.S.Thankasivan, SR.No.15572.