

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.08.2017

CORAM:

THE HONOURABLE MR. JUSTICE V.PARTHIBAN

CONT. P.No.1316 of 2014

G.Sudarsanam

.. Petitioner

Vs.

1.Mr.Niranjan Mardia, I.A.S.
The Home secretary,
Police VI Department,
Secretariat, St.George Fort,
Chennai-600 009.

2.Mr.G.Ramanujam, I.P.S.
The Director General of Police,
Mylapore,
Chennai-600 004.

3.Dr.Vijayakumar, I.P.S.
The Superintendent of Police,
Vellore District,
Vellore.

.. Respondents

PRAYER: Contempt Petition filed under Section 11 of the Contempt Act to punish the respondents for their wilful disobedience of the order dated 10.04.2013 in W.P.No.30031 of 2011 passed by this Court.

For Petitioner : Mr. S.Pushpakaran

For Respondents : Mr.K.Venkatramani, AAG VII,
assisted by Mr.O.R.Maheswaran,
Government Advocate.

ORDER

This contempt petition has been filed alleging violation of the order passed by this Court in W.P.No.30031 of 2011 dated 10.04.2013. The operative portion of the order dated 10.04.2013, is extracted hereunder:

"5:In view of the above, this writ petition is allowed directing the respondents to fix the seniority of the petitioner to which he is entitled to and give him promotion to the post of Sub Inspector of Police. The above said exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order. No costs."

2.Upon notice, Mr.K.Venkatramani, learned Additional Advocate General for the respondents has submitted that an order has been passed on 30.09.2013, in pursuance of the direction passed by this Court.

3.However, Mr. S.Pushpakaran, learned counsel for the petitioner would dispute that the said order was not in full compliance of the direction passed by this Court and insisted that the contempt petition should be dealt with in accordance with law.

4.This Court has gone through the order and finds the same to be in compliance of the direction passed by this Court. However, in case the petitioner has any grievance about the non implementation of the order in letter and spirit, he has to work out his remedy by filing a separate writ petition before this Court, as the rights of the parties cannot be adjudicated in a contempt petition. So far as the contempt petition is concerned, it has to be seen whether there was any wilful disobedience of the order passed by this Court.

5.In the present matter, the Government by proceedings dated 30.09.2013 has passed an order purporting to be in compliance of the direction passed by this Court. In such view of the matter, the present contempt petition is closed. However, the petitioner is at liberty to approach this Court, if he is so advised to work out his remedy before this Court.

सत्यमेव जयते

17.08.2017

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Index:Yes/No
Internet:Yes/No

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To

1.Mr.Niranjan Mardia, I.A.S.
The Home secretary,
Police VI Department,
Secretariat, St.George Fort,
Chennai-600 009.

2.Mr.G.Ramanujam, I.P.S.
The Director General of Police,
Mylapore,
Chennai-600 004.

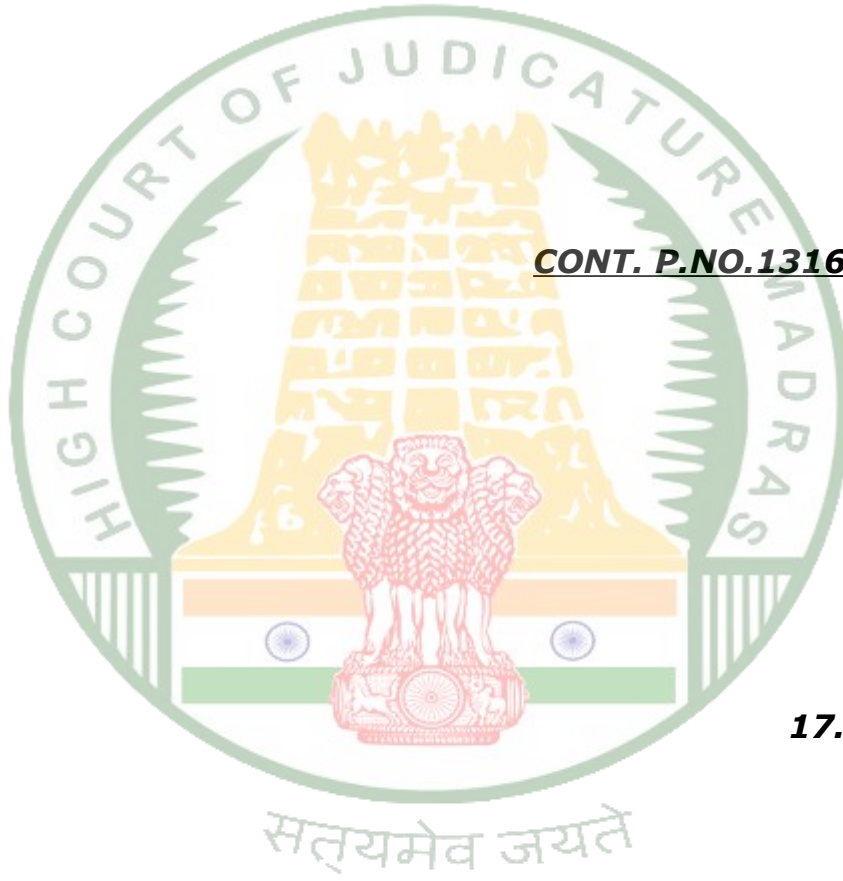
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V.PARTHIBAN.J,

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