

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

Cont.No.998 of 2017

C.Subramani

... Petitioner

Vs.

Mr.Chandrakant.B.Kamble,
The Additional Chief Secretary to Government,
& Chairman of All State Transport Undertakings,
Transport Department,
Government of Tamil Nadu,
Fort St.George, Chennai - 600 009.

... Respondent

PRAYER: Contempt Petition filed under Section 11 of Contempt of Court Act, 1971, to punish the respondent for having committed Contempt of Court through willful disobedience of the order dated 11.07.2016 of this Court in W.P.No.2021 of 2016 in W.M.P.No.1759 of 2016.

For Petitioner : Mr.S.Rajeni Ramadas

For Respondents : Mr.V.S.Ramesh
Government Advocate

O R D E R

The Contempt Petition on hand is filed against the interim order dated 11.07.2016 passed in W.P.No.2021 of 2016 in W.M.P.No.1759 of 2016.

2.The order passed by this Court is extracted hereunder:

<https://hcservices.ecourts.gov.in/hcservices/> "3.Heard all the parties.

4.First of all, it is made very clear

that based on the orders of this Court in these writ petitions, any promotion given to the post of Superintendent shall be subject to the result of the writ petitions. The petitioners in the W.P.No.1768 of 2016 are considered to be eligible. As stated earlier, as far as the petitioners in W.P.Nos.2021 to 2023 of 2016, since they are Law Graduates, they have one another avenue as Office Superintendent (Legal). It is made very clear that the Office Superintendent (Legal) would be filed only from Law Graduates. To that extent, it has to be verified. In this also, any appointment made would be subject to the result of the Writ Petitions.

5.Admit. Notice to the respondents, returnable, returnable by four weeks".

3.On perusal of the order passed by this Court carefully, this Court made it very clear that any promotion given to the post of Superintendent (Legal) shall be subject to the result of the final orders to be passed in these writ petitions.

4.The learned counsel appearing for the petitioner submitted that the writ petitioners are eligible for promotion and the interim order granted by this Court states that the candidates possessing the qualification of Law Graduate alone to be considered for promotion. But the respondent acted contrarily and promoted the candidates not

possessing the Law Degree. Further, this Court has not issued any direction to the respondent to promote only the eligible candidates possessing Law Degree.

5. Contrarily, this Court has clarified that any promotion given to the post of Superintendent (Legal) shall be subject to the result of the writ petitions. Further, it is clarified that it is made clear that the Office Superintendent (Legal) would be filled only from Law Graduates. The order was passed clarifying certain aspects in this regard which cannot be construed as a direction warranting contempt proceedings. Thus, this Court is of the view that all the issues raised in these writ petitions can be debated and settled at the time of the final hearing of the writ petitions.

6. Accordingly, no further consideration in this Contempt Petition is required to be undertaken. Thus, the Contempt Petition stands closed.

7. The Writ Petitions shall be posted for final disposal after four weeks.

ah

SD/-
JOINT REGISTRAR(OS) (i/c)

//Certified to be true copy//

Dated at Madras this the day of 2017.

COURT OFFICER(O.S.)

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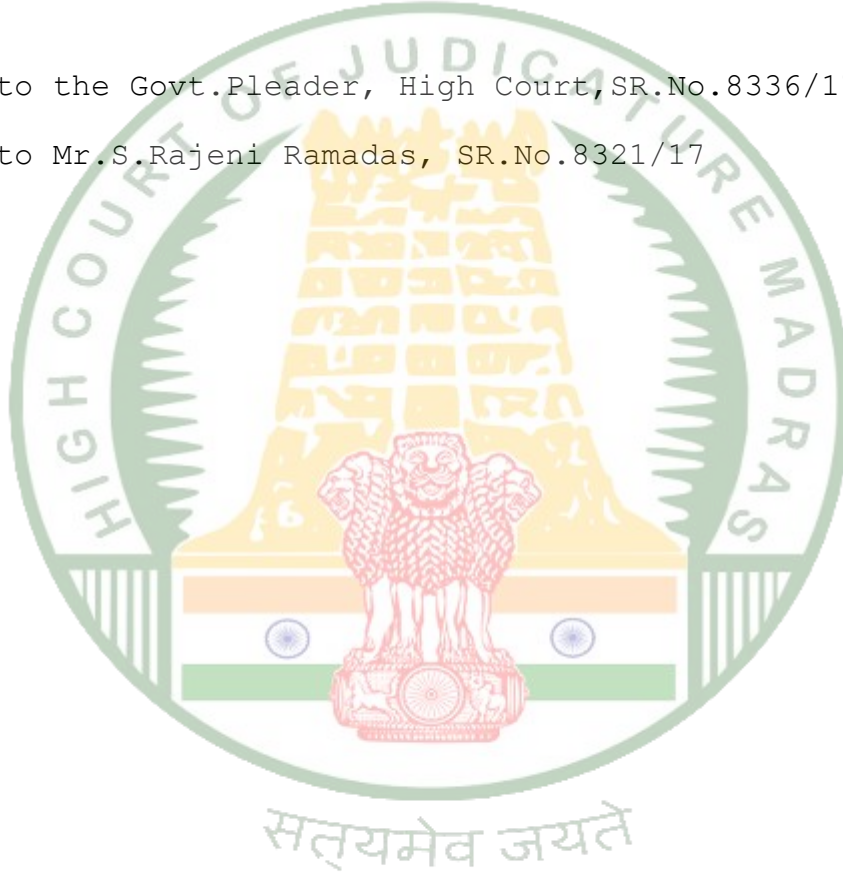
DK/CO/10/08/2017

To

The Additional Chief Secretary to Government,
& Chairman of All State Transport Undertakings,
Transport Department,
Government of Tamil Nadu,
Fort St.George, Chennai - 600 009.

one cc to the Govt.Pleader, High Court, SR.No.8336/17

one cc to Mr.S.Rajeni Ramadas, SR.No.8321/17



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