

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:12.06.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

Cont.P.No.2939/2016 in WP.No.31377/2015

R.Uthamalingam

.. Petitioner

Vs

Dr.N.Subbiyan, IAS
The Commissioner
Department of Employment & Training
Thiru-Vi-Ka Estate
Guindy, Madras 600032.

.. Respondent

Prayer:- Contempt petition filed under section 11 of the Contempt Act, 1971, to punish the respondent herein for his deliberate and wilful disobedience and scant respect for the order of this Court dated 06.10.2015 made in WP.No.31377/2015.

For Petitioner : Mr.S.Kasirajan
For Respondent : Mr.K.V.Dhanapalan, Spl.GP

ORDER

The claim of the petitioner is that overlooking his seniority, his juniors have been sponsored by the jurisdictional Employment Exchange and despite very many representations seeking details of the same, a standard reply has been given, stating that the concerned records are not available and further that the response sent in that regard, has also been anti-dated.

2 Mr.S.Kasirajan, learned counsel appearing for the

the petitioner has not been properly responded and the antidating of the response would also disclose the fact that the reasons assigned for non-furnishing of the relevant particulars, are not all correct and true and prays for appropriate orders.

3 Per contra, Mr.K.V.Dhanapalan, learned Special Government Pleader appearing for the respondent / contemnor would submit that admittedly, the petitioner had submitted representations for very many years and had belatedly approached the Court only in the year 2015 and by that time, the relevant records have been misplaced or lost and the further allegations levelled are wholly untrue and would further add that the petitioner is guilty of delay and laches and therefore, at this distant point of time, he cannot be granted the relief and also on account of his over-age.

4 This Court has considered the rival submissions and also perused the materials placed before it.

5 Admittedly, the petitioner is pursuing the matter under the Right to Information Act and he is at liberty to pursue the same. The reply sent by the respondent would disclose that on account of long lapse of time, the concerned records have been lost or destroyed and since the

points urged by the learned counsel for the petitioner revolve around the factual aspect, this Court has merely directed the respondent to respond to the request made by the petitioner and is of the view that no infraction of the order has been made out.

6 In the result, the contempt petition is closed.

AP

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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SS/CO/11/07/17

सत्यमेव जयते

To

The Commissioner
Department of Employment & Training
Thiru-Vi-Ka Estate
Guindy, Madras 600032.

one cc to the Govt.Pleader, High Court,sr.No.6521/17

onc cc to Mr.S.Kasirajan, Advocate, Sr.No.6474/17