



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.11.2017

CORAM

THE HONOURABLE MR.JUSTICE P.D.AUDIKESSAVALU

Contempt Petition (MD) No.1435 of 2016

in W.P. (MD) No.15302 of 2013

R.Arulraj

.. Petitioner/Petitioner

Versus

1.Dr.K.Kolandaswamy,
The Director of Public Health and Preventive Medicine,
Annasalai, Chennai - 6.

2.V.A.Rolph Selvin,
The Deputy Director of Health Services,
Nagercoil,
Kanyakumari District.

.. Respondents/Contemnors

PRAYER: Contempt Petition filed under Section 11 of Contempt of Court Act, 1971, praying to punish the respondent for their willful disobedience of the order passed in W.P.(MD) No.15302 of 2013 dated 07.07.2015 on the file of this Hon'ble Court.

Prayer in WP(MD) . 15302/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus or any other writ or order or direction of a like nature to call for the Records on the files of the 1st Respondent pertaining to its proceedings in R.No. 116894/MP1/S3/2012 dated 11.12.2012 and to quash the same and consequently direct the Respondent to regularise the service of the petitioner from 17.01.1986 in the post of Health Assistant and to grant the consequential benefits there from.

For Petitioner : Mr.S.C.Herold Singh

For Respondents : Mr.A.K.Baskara Pandian
Special Government Pleader

O R D E R

This Court by order dated 07.07.2015 in W.P.(MD) No.15302 of 2013 passed the following order:

<https://hcservices.ecourts.gov.in/hcservices/> view of the averments made in the counter, which is extracted supra and that the services of the petitioner has been regularised with effect from 17.01.1986, no further



orders are necessary. The petitioner is also entitled to the consequential benefits from the date of the regularisation, namely, 17.01.1986."

In pursuance thereof, it is submitted by both sides that certain benefits have been granted to the petitioner. While learned Special Government Pleader appearing for the respondents submits that they are the only benefits, which the petitioner is entitled, learned counsel for the petitioner submits that the petitioner is entitled to further benefits including promotion and fixation of scale of pay and the same have been denied.

2. Having regard to the aforesaid disputed facts and contentious issues raised, learned counsel for the petitioner submits that the petitioner would make a representation to the second respondent on or before 30.11.2017 setting out his claims.

3. If such representation is made to the second respondent, the same shall be dispassionately considered and a reasoned order shall be passed by the respondents on merits and in accordance with law and such decision shall be communicated to the petitioner and a report of such compliance shall be filed before the Registrar (Judicial), Madurai Bench of Madras High Court, Madurai on or before 31.01.2018.

4. This Contempt Petition is closed with the aforesaid observations. No costs.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Director of Public Health and Preventive Medicine,
Annasalai, Chennai - 6.

2. The Deputy Director of Health Services,
Nagercoil,
Kanyakumari District.

Copy to : The Registrar (Judicial),
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr. S.C. HEROLD SINGH Advocate in SR. No. 86659

SJ

JS/KK/SAR.1/24.11.2017/2P-5C