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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.07.2018

CORAM :

THE HONOURABLE MR. JUSTICE R. SUBBIAH

Contempt Petition Nos. 181, 182, 183 and 188 of 2018

S. Mani	.. Petitioner in Cont.P. No.181
S. Murali	.. Petitioner in Cont.P. No.182
N. Kamalanathan	.. Petitioner in Cont.P. No.183
S. Sekar	.. Petitioner in Cont.P. No.188

Versus

S.A. Raman, I.A.S., The District Collector Vellore District Vellore	.. Respondent in all the Contempt Petitions
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Contempt Petition No. 181 of 2018:- Petition filed under Section 11 of The Contempt of The Courts Act, 1971 praying to punish the respondent for violating the order passed by this Court in WP No. 36595 of 2016 dated 19.10.2016.

Contempt Petition No. 182 of 2018:- Petition filed under Section 11 of The Contempt of The Courts Act, 1971 praying to punish the respondent for violating the order passed by this Court in WP No. 36597 of 2016 dated 19.10.2016.

Contempt Petition No. 183 of 2018:- Petition filed under Section 11 of The Contempt of The Courts Act, 1971 praying to punish the respondent for violating the order passed by this Court in WP No. 36598 of 2016 dated 19.10.2016.

Contempt Petition No. 188 of 2018:- Petition filed under Section 11 of The Contempt of The Courts Act, 1971 praying to punish the respondent for violating the order passed by this Court in WP No. 36594 of 2016 dated 19.10.2016.



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For Petitioners : Mr. R. Jayaprakash
in all the Contempt Petitions

For Respondents : Mr. S.R. Rajagopal, Additional
Advocate General
assisted by Mr. J. Purusothaman
Government Advocate
in all the Contempt Petitions

COMMON ORDER

These contempt petitions are filed by the petitioners, complaining non-compliance of the common order dated 19.10.2016 passed by this Court in WP Nos. 36595, 36597, 36598 and 36594 of 2016, respectively.

2. The above writ petitions were filed by the petitioners praying to issue a Writ of Mandamus directing the respondents to appoint the petitioners, either to the post of Junior Assistant or to the post of Bill Collector under 20% quota reserved for Basic Service Employees in Town Panchayat in Vellore District as provided in G.O. (Ms) No.150, MAWS Department dated 19.08.1998 and G.O. (Ms) No.102, MAWS Department dated 22.07.2011, with effect from the date of the vacancies in Vellore District, with all monetary and service benefits.

3. When the writ petitions were taken up for hearing on 19.10.2016, this Court, after hearing the counsel for both sides, passed the following order:-



"7. Considering the submissions made on either side, this Court directs the petitioner to give a fresh representation to the third respondent, within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the third respondent is directed to consider the same in the light of G.O. (Ms) No.150, MAWS Department dated 19.08.1998 and G.O. (Ms) No.102, MAWS Department dated 22.07.2011 and pass appropriate orders, on merits, and in accordance with law, within a period of six weeks thereafter."

4. According to the counsel for the petitioners, after receipt of a copy of the order dated 19.10.2016, the petitioners have sent individual representation to the respondent herein, as directed. Further, the petitioners have also caused a legal notice dated 12.12.2017, calling upon the respondent herein to ensure compliance of the order dated 19.10.2016 passed by this Court. As there was no response, the present contempt petitions are filed.

5. The learned Additional Advocate General appearing for the respondent, on the other hand, would submit that the order dated 19.10.2016 passed by this Court has been complied with by the respondent herein. He has brought to the notice of this Court the proceedings bearing Na.Ka.No. 3103/20/17/Aa dated 23.03.2017 passed by the third respondent wherein it was stated by the respondent herein that appropriate steps are being taken to draw a seniority list for the period from 01.01.2014 to 01.01.2017 and as and when vacancies arose, the claim of the petitioners will be considered on merits and eligibility.



6. The learned counsel for the petitioners did not dispute the order dated 23.03.2017 passed by the third respondent. In fact, the petitioners themselves have enclosed a copy of the proceedings dated 23.03.2017 passed by the third respondent and it is in compliance with the directions issued by this Court in the order dated 19.10.2016. Therefore, if the petitioners are in any manner aggrieved by the proceedings dated 23.03.2017 of the respondent herein, it is open to them to challenge the same in a manner known to law.

7. In the light of the above, I do not find any disobedience on the part of the respondent in complying with the order dated 19.10.2016 passed in WP Nos. 36595, 36597, 36598 and 36594 of 2016, respectively. The contempt petitions are therefore liable only to be dismissed.

8. Accordingly, all the contempt petitions are closed.
No costs.

SD/-
ASSISTANT REGISTRAR (COMM.CASES)

rsh

//Certified to be true copy//

Dated at Madras this the day of 2019.

COURT OFFICER(O.S.)

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