

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 19.09.2019

CORAM :

THE HONOURABLE MR.JUSTICE SUBRAMONIUM PRASAD

CONT.P.NO.1358 OF 2019

G. Sudhakar

... Petitioner

Vs

1. J.K.Tripathy IPS
The Director General of Police,
Mylapore,
Chennai - 600 004.

2. G.Umaiya
The Commandant,
Tamilnadu Special Police,
I-Battalion,
Trichy -12.

... Respondents

Prayer : Contempt petition has been filed under section 11 of the Contempt of Courts Act to punish the respondents for Willful disobeying the orders in W.P.No.31480 of 2016 dated 10.01.2018.

सत्यमेव जयते

For Petitioner : Mr.S.Kamadevan

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ORDER

The non compliance of the order dated 10.01.2018 in W.P.No.31480 of 2016 is the subject matter of this Contempt petition. The claim of the petitioner is appointment on compassionate basis. This Court passed the following order;

7. In fine, the writ petition is allowed with a direction to the second respondent to consider the claim of the petitioner for appointment of compassionate ground within a period of six weeks from the date of receipt of a copy of this order. No costs.

2. The Matter was taken up in appeal. The Division Bench of this Court passed an order in W.A. No.2766 of 2018 dated 12.12.2018.

22.Having regard to the scheme of compassionate ground that it should be provided immediately to tide over the financial constraint of the bereaved family and having regard to the time consumed from the date of rejection, this court is of the view that the respondent should be provided with employment on compassionate ground, within a period of six weeks from the date of submission of the above documents.

3. The Government by an order dated 17.09.2002 has placed the petitioner in the waiting list 350-A out of 2774 candidates for appointment as Junior Assistant. It is stated in the order that the petitioner will be informed about his appointment as and when his turn comes. The order dated 10.01.2018 has been complied with. No wilful disobedience of the order dated

10.01.2018 in W.P.No.31480/2016 is made out.

4. The learned Counsel for the petitioner states that he is not keen on the post of the Junior Assistant and he can be appointed to any post. The prayer is beyond the pleadings in the writ petition. It is up to the petitioner to make a representation for appointment in any post vacant. The first respondent can consider the representation taking note of the fact that the appointment is sought on the ground of compassionate appointment i.e. to get over the penury which is family is placed. If and when such representation is made, the Government shall pass necessary orders.

5. Accordingly, the contempt petition is disposed of.

SD/-

ASSISTANT REGISTRAR (COMM.CASES)

ksa-2

//Certified to be true copy//

Dated at Madras this the day of 2019.

COURT OFFICER (O.S.)

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Smi/27/11/2019

To

1. The Director General of Police,
Mylapore, Chennai - 600 004.
2. The Commandant,
Tamilnadu Special Police,
I-Battalion,
Trichy -12.



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