

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.04.2019

Coram

The Hon'ble Mr. Justice **M.M. SUNDRESH**
and
The Hon'ble Mr. Justice **V. PARTHIBAN**

Cont. Petition Nos.2007 to 2014 of 2019

S.Usha,
W/o.T.N.Sathiyarayanana,
No.1/40, Thorapalli,
Hosur,
Krishnagiri District.

.. Petitioner in
Cont.P.No.2007/2019

K.Gopinath,
S/o.Krishnamoorthy,
No.2, PWD Quarters,
Uthangarai (Post and Taluk),
Krishnagiri District.

.. Petitioner in
Cont.P.No.2008/2019

N.Rosi,
W/o.P.Mohankumar,
No.218/2, Andivadi,
Thaly Post, Hosur Taluk,
Krishnagiri District.

.. Petitioner in
Cont.P.No.2009/2019

R.Radha,
D/o.K.Raja,
No.419, Pillayar Kovil Street,
Alathur Village,
Chengam Taluk,
Thiruvannamalai District.

.. Petitioner in
Cont.P.No.2010/2019

S.Fathimamarry,
W/o.P.Ravi,
No.2/23-7, Mail Codaloor,
Codaloor,
The Nilgiris.

.. Petitioner in
Cont.P.No.2011/2019

S.Murugaiah,
S/o.Sundaraiah,
No.108/2, Santhai Street,
Singilipatti,
Sokkampatti Post,
Kadayanallur Taluk,
Thirunelveli District.

.. Petitioner in
Cont.P.No.2012/2019

A.Sankari,
D/o.R.Arumugam,
No.19 A/9, Keil Kotta,
Yarap Nagar,
Denkanikotai Taluk,
Krishnagiri District.

.. Petitioner in
Cont.P.No.2013/2019

C.Murugan,
S/o.A.Chandiran,
Mettu Street, Karungalikuppam,
Kilpennathur,
Thiruvannamalai District.

.. Petitioner in
Cont.P.No.2014/2019

vs.

1.Panindra Reddy, I.A.S.,
The Secretary to Government,
Handlooms, Textiles and Khadi
Department,
Fort St. George, Chennai - 5.

2.Venkatapriya, I.A.S.,
The Director,
Sericulture Department,
Nethaji Nagar, Asthampatti,
Salem - 636 007.

.. Respondents

Petitions filed under Section 11 of Contempt of Courts Act to punish the respondents for committing contempt of Court by wilfully disobeying the order passed in W.A.Nos.1184, 1192, 1191, 1190, 1189, 1188, 1187 and

For Petitioner .. Mr.S.Sivakumar in all the cases

For Respondents .. Mr.P.S.Sivashanmugha Sundaram,
Spl. Govt. Pleader
in all the cases

COMMON ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

Alleging that the order dated 14.11.2016 passed in W.A.Nos.1184, 1192, 1191, 1190, 1189, 1188, 1187 and 1185 of 2016 has not been complied with, the present contempt petitions have been filed.

2. We do not find any positive direction issued, which has not been complied with by the respondents. However, in compliance with the order, the first respondent has sent letters dated 28.12.2017, wherein it has been stated as follows:-

"Letter No.10255/G2/2017-2 (Cont.P.No.2007 of 2017)

3.You have completed 8 years as daily wage worker from 11.07.1997 to 01.01.2006 which is less than 10 years of service as on 01.01.2006, prescribed in G.O.(Ms) No.25 Handlooms, Handicrafts, Textiles and Khadi Department dated 23.02.2010.

4.You are informed that you will be permitted to apply for the post of Junior Inspector of Sericulture during next recruitment when notification is issued. Though you are over

aged the relevant provisions of rules will be relaxed in your favour at appropriate time. Further as you are already working in Sericulture Department as daily wage worker, you will also be exempted from furnishing experience certificate which is required to be filed by other applications.

5.You are informed that these benefits are extended to you as a special case in view of the observation made in the Hon'ble High Court order cited first above.

"Letter No.10255/G2/2017-3 (Cont.P.No.2008 of 2017)

3.You have completed 6 years as daily wage worker from 02.03.1999 to 01.01.2006 which is less than 10 years of service as on 01.01.2006, prescribed in G.O.(Ms) No.25 Handlooms, Handicrafts, Textiles and Khadi Department dated 23.02.2010.

4.You are informed that you may apply to the department during next recruitment for the post of Junior Inspector of Sericulture when notification is issued. As you are already working in Sericulture Department as daily wage worker, you will be exempted from furnishing experience certificate which is required to be filed by other applicants.

5.You are informed that these benefits are extended to you as a special case in view of the observation made in the Hon'ble High Court order cited first above.

"Letter No.10255/G2/2017-9 (Cont.P.No.2009 of 2017)

3.You are working as daily wage worker from 17.05.2006 to till date therefore you have not completed 10 years of service as on 01.01.2006, prescribed in G.O.(Ms) No.25 Handlooms, Handicrafts, Textiles and Khadi Department dated 23.02.2010.

4.You are informed that you will be permitted to apply for the post of Junior Inspector of Sericulture during next recruitment when notification is issued. Though you are over aged the relevant provisions of rules will be relaxed in your favour at appropriate time. Further as you are already working in Sericulture Department as daily wage worker, you will also be exempted from furnishing experience certificate which is required to be filed by other applications.

5.You are informed that these benefits are extended to you as a special case in view of the observation made in the Hon'ble High Court order cited first above.

"Letter No.10255/G2/2017-8 (Cont.P.No.2010 of 2017)

3.You are working as daily wage worker from 07.12.2011 to till date therefore you have not completed 10 years of service as on 01.01.2006, prescribed in G.O.(Ms) No.25 Handlooms, Handicrafts, Textiles and Khadi Department dated 23.02.2010.

4.You are informed that you may apply to the department during next recruitment for the post

of Junior Inspector of Sericulture when notification is issued. As you are already working in Sericulture Department as daily wage worker, you will be exempted from furnishing experience certificate which is required to be filed by other applicants.

5.You are informed that these benefits are extended to you as a special case in view of the observation made in the Hon'ble High Court order cited first above.

"Letter No.10255/G2/2017-7 (Cont.P.No.2011 of 2017)

3.You have completed 1 year as daily wage worker from 13.09.2004 to 01.01.2006 which is less than 10 years of service as on 01.01.2006, prescribed in G.O.(Ms) No.25 Handlooms, Handicrafts, Textiles and Khadi Department dated 23.02.2010.

4.You are informed that you may apply to the department during next recruitment for the post of Junior Inspector of Sericulture when notification is issued. As you are already working in Sericulture Department as daily wage worker, you will be exempted from furnishing experience certificate which is required to be filed by other applicants.

5.You are informed that these benefits are extended to you as a special case in view of the observation made in the Hon'ble High Court order cited first above.

"Letter No.10255/G2/2017-6 (Cont.P.No.2012 of 2017)

3. Your representation has been examined in detail in the light of the orders of Hon'ble High Court of Madras dated 14.11.2016 in W.A.Nos.1184 to 1192 of 2016 along with connected records. You are not possessing the requisite educational qualification for appointment to the post of Junior Inspector of Sericulture. You are requested to pass the requisite educational qualification (i.e. S.S.L.C.) so that you become eligible to apply for next recruitment of Junior Inspector of Sericulture when notification is issued by Department. Though you are over aged, the relevant provisions of rules will be relaxed in your favour at appropriate time. Further as you are already working in Sericulture Department as daily wage worker, you will be exempted from furnishing experience certificate which is required to be filed by other applicants.

4. You are informed that these benefits are extended to you as a special case in view of the observation made in the Hon'ble High Court order cited first above.

"Letter No.10255/G2/2017-5 (Cont.P.No.2013 of 2017)

3. You are working as daily wage worker from 02.07.2008 to till date therefore you have not completed 10 years of service as on 01.01.2006 as prescribed in G.O.(Ms) No.25 Handlooms, Handicrafts, Textiles and Khadi Department dated 23.02.2010.

4.You are informed that you may apply to the department during next recruitment for the post of Junior Inspector of Sericulture when notification is issued. As you are already working in Sericulture Department as daily wage worker, you will be exempted from furnishing experience certificate which is required to be filed by other applicants.

5.You are informed that these benefits are extended to you as a special case in view of the observation made in the Hon'ble High Court order cited first above.

"Letter No.10255/G2/2017-3 (Cont.P.No.2014 of 2017)

3.You have completed 6 years as daily wage worker from 02.03.1999 to 01.01.2006 which is less than 10 years of service as on 01.01.2006, prescribed in G.O.(Ms) No.25 Handlooms, Handicrafts, Textiles and Khadi Department dated 23.02.2010.

4.You are informed that you may apply to the department during next recruitment for the post of Junior Inspector of Sericulture when notification is issued. As you are already working in Sericulture Department as daily wage worker, you will be exempted from furnishing experience certificate which is required to be filed by other applicants.

5.You are informed that this benefit is extended to you as a special case in view of the observation made in the Hon'ble High Court order cited first above.

3. Thus, we do not find any wilful disobedience of the order passed and the contempt petitions stand closed. However, liberty is given to the petitioners to either challenge the aforesaid letters or workout the remedy as per the same.

SD/-
Assistant Registrar (Comm. Cases)
mmi

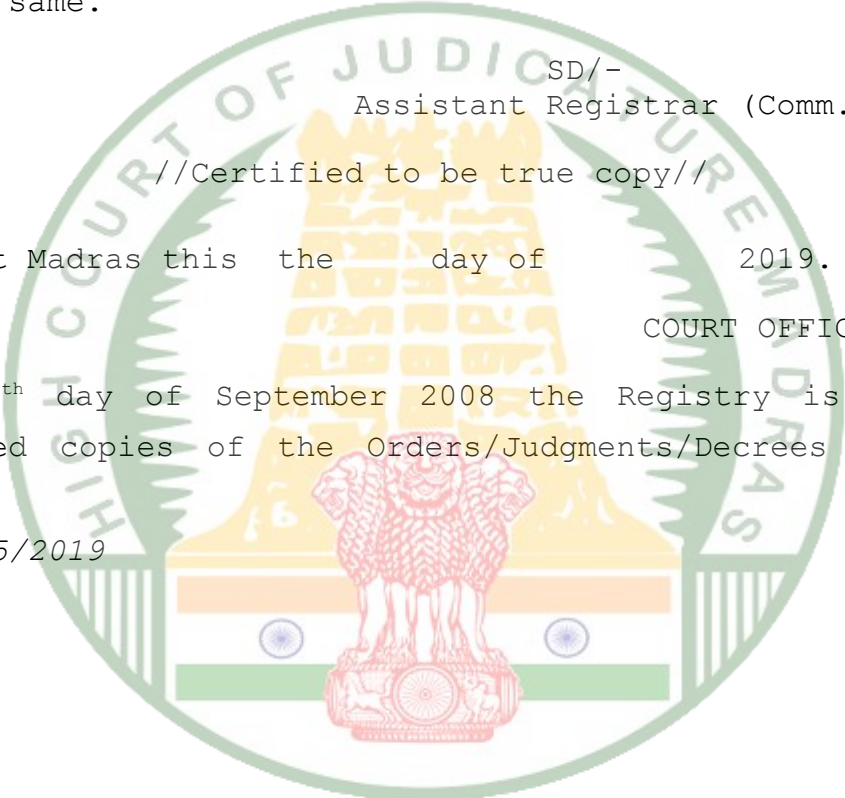
//Certified to be true copy//

Dated at Madras this day of 2019.

COURT OFFICER(O.S.)

from 25th day of September 2008 the Registry is issuing Certified copies of the Orders/Judgments/Decrees in this format.

Sm/17/05/2019

The seal of the Madras High Court is a circular emblem. It features a central yellow temple gopuram (tower) with a red lion capital of Ashoka at its base. The gopuram is flanked by two green pillars. The entire emblem is set against a white background with a green border. The words "HIS COURT OF JUDICATURE MADRAS" are inscribed in a circular path around the central image. Below the emblem, the Sanskrit motto "सत्यमेव जयते" (Satyameva Jayate) is written in Devanagari script.

WEB COPY