

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2019

CORAM

THE HON'BLE Mr. JUSTICE **M.M. SUNDRESH**
and
THE HON'BLE Mr. JUSTICE **M.NIRMAL KUMAR**

Cont.P.No.2755 of 2018

Radhakrishnan.V. ...Petitioner

Vs.

R.Anthony Johnson Jeyepal,
Commandant,
Tamil Nadu Special Police,
III Battalion Manimuthar,
Tirunelveli District,
Now stationed at Veerapuram
Chennai - 600 055. ...Respondent

Petition filed under Section 11 of Contempt of Courts
Act to punish the respondent for wilful disobedience of the
order of this Court in W.P.No.729 of 2015 dated 03.06.2015.

For Petitioner : Mr.M.Ramalingam

For Respondent : Mr.M.Elumalai,
Government Advocate

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ORDER

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

Alleging that the order of the Division Bench has not
been complied with in letter and spirit, the present
contempt petition has been filed.

2. During the pendency of the contempt petition, further order was passed by the Commandant, TSP III Bn., Veerapuram, Chennai - 55 in proceeding Rc.No.A2/5803/2019 dated 10.07.2019, by which, the petitioner was considered as Havildar notionally with effect from 18.03.1985, which is the date on which his Junior Inspector, was promoted as Havildar.

3. In such view of the matter, we do not find any wilful disobedience of the order. However, the grievance of the petitioner is that further promotion should have been granted to him on a par with his immediate juniors. We are afraid that for the aforesaid grievance, he has to workout the remedy by way of a separate proceedings. Suffice it to state that no contempt would arise in the case on hand.

4. Taking into consideration the fact that the petitioner has been agitating his right for quite sometime, we direct the contemnor to comply and implement the order dated 10.07.2019 by redrawing the pensionary benefits along with the arrears within a period of twelve weeks from the date of receipt of a copy of this order. However, liberty is also given to the petitioner to challenge the order dated 10.07.2019 for seeking higher relief in the manner

known to law.

5. In view of the above, the contempt petition stands closed.

SD/-

ASSISTANT REGISTRAR (COMM.CASES)

mmi/ssm

//Certified to be true copy//

Dated at Madras this the day of 2019.

COURT OFFICER (O.S.)

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Smi/13/08/2019

To
The Commandant,
Tamil Nadu Special Police,
III Battalion Manimuthar,
Tirunelveli District,
Now stationed at Veerapuram
Chennai - 600 055.

सत्यमेव जयते
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