

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Tuesday, the Eighteenth day of June Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice R.SURESH KUMAR

CONT P(MD) No.1464 of 2018
in
WP(MD). No.13673 of 2013

N.SUBRAMANIAN

... PETITIONER/3rd PETITIONER

Vs

1.R.RADHAKRISHNAN,
THE SECRETARY TO GOVERNMENT,
HEALTH & FAMILY WELFARE DEPARTMENT,
SECRETARIAT, CHENNAI.

2.EDWIN JOE,
THE DIRECTOR OF MEDICAL EDUCATION,
KILAPPAUK, CHENNAI.

... CONTEMNORS/RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to punish the contemnor for wanton and willful disobedience of the order passed by this Honourable Court in W.P.(MD) No. 13673 of 2013 dated 03.02.2017 and thus render Justice.

PRAYER IN WP(MD). No.13673 of 2013:

To issue a Writ of Certiorarified Mandamus, to call for the records on the file of the 3rd respondent in connection with the order passed by him in Ref.No. 52374/E5/1/2013 dated 26.07.2013 and quash the same to the extent of excluding the degrees, diplomas and post graduate degrees granted by the 4th Respondent University for consideration of the petitioners for appointment/promotion to the post of Non Medical Assistant to the Professor of Bio Chemistry or Bio Chemist or Librarian in case of possession of B.L.I.S., from the cadre of Lab Supervisor/Non Medical Demonstrator and direct the respondents to include the Vinayaka Missions University in the List of Universities given under Schedule II Rule 19 of the Tamil Nadu State and Subordinate Service Rules immediately and consequently consider the petitioners for promotion/appointment to the post of Non Medical Assistant to the professor of Bio Chemisty (or) Bio-Chemist (or) Librarian Grade I as far as the 3rd petitioner is concerned for the year 2012-2013 atleast and promote them to the said post.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.D.SELVANAYAGAM, Advocate for the petitioner and of Mr.P.KANNITHEVAN, Additional Government Pleader on behalf of the Contemnors, the court made the following order:-

The learned Special Government Pleader took notice on 05.10.2018 for the respondents. Thereafter, when the case came up for hearing on 22.10.2018, another Special Government Pleader took notice for the respondents. Thereafter, when the case is listed today (i.e. 18.06.2019) Mr.P.Kannithevan, learned Additional Government Pleader wants to take notice and therefore, he seeks time.

2. This practice of taking notice by different Special Government Pleaders/Additional Government Pleaders and Government Pleaders for the Government officials for one matter on every hearing cannot be appreciated by this Court.

3. At any rate, the learned Additional Government Pleader appearing for the respondents now wants some reasonable time to report compliance of the order passed by this Court. Hence, two(02) weeks time for reporting compliance of the order is granted. Post the matter after two weeks.

sd/-
18/06/2019

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1.R.RADHAKRISHNAN,
THE SECRETARY TO GOVERNMENT,
HEALTH & FAMILY WELFARE DEPARTMENT,
SECRETARIAT, CHENNAI.

2.EDWIN JOE,
THE DIRECTOR OF MEDICAL EDUCATION,
KILAPPAUK, CHENNAI.

ORDER
IN
CONT P(MD) No.1464 of 2018
IN
WP(MD) . No.13673 of 2013
Date :18/06/2019

TK/JC/SAR.1/21.06.2019/2P/3C