

IN THE HIGH COURT OF JUDICIATURE AT MADRAS

DATED : 13.02.2020

CORAM :

**THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MR.JUSTICE R.PONGIAPPAN**

Cont.P.No.935 of 2016

in

W.P.No.37258 of 2005

S.Gajendran

Petitioner

versus

1.Dr.K.Kolandaswamy,
The Director of Public Health
and Preventive Medicine,
DMS Compound,
Chennai - 600 006.

2.Dr.J.Radhakrishnan, I.A.S.,
The State of Tami Nadu,
Rep. by Secretary to Government,
Health and Family Welfare Department,
Chennai - 600 009.

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Respondents

WEB COPY

Prayer: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondents for violating the order of this Court, dated 13.07.2007 made in W.P.No.37258 of 2005.

For Petitioner : M/s.A.Meena
For Respondents : Mrs.Narmadha Sampath
Additional Advocate General-V
Assisted by Mr.K.S.Suresh,
Government Advocate

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ORDER

[Order of this Court was made by ***R.SUBBIAH,J.***]

This Contempt Petition has been filed under Section 11 of Contempt of Courts Act, seeking an order to punish the respondents for willful disobedience of the order passed by this Court in W.P.No.37258 of 2005 dated 13.07.2007.

2. Today, when the matter is taken up for consideration, the learned Additional Advocate General-V appearing on behalf of the respondents submitted that as per the direction of this Court, the first

respondent/Director of Public Health and Preventive Medicine, Chennai, has passed an order dated 06.02.2020 in R.No.91501/MP1/S3/2015. She has also produced a copy of the same. The relevant portion of the proceedings reads as follows:

"In view of the orders of Hon'ble High Court and based on the orders issued in G.O.4th cited, as per the seniority list of Multipurpose Health Assistant published vide Proc.R.No.115738/MPII/S2/1995. Dt:30.05.1996, it is seen that Thiru S.Gajendran, (Sty.No.1964) is senior to Thiru P.Balakrishnan (Sty.No.2788). Thiru S.Gajendran is eligible to regularise his services retrospectively in the cadre of Multipurpose Health Supervisor on par with his Junior Thiru P.Balakrishnan (Sty.No.2788) w.e.f. 22.03.1989 with all monetary benefits."

3. The learned counsel appearing on behalf of the petitioner has also submitted that the order has been complied with by the first respondent.

4. Since the order of this Court has been complied with, we are of the opinion that nothing survives in this Contempt Petition for adjudication. Hence, recording the above submission made by the learned

Additional Advocate General-V appearing for the respondents, the present Contempt Petition is closed.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

sri

//Certified to be true copy//

Dated at Madras this the day of 2020.

COURT OFFICER(O.S.)

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

SMI/12.03.2020

To

1. The Director of Public Health and Preventive Medicine,
DMS Compound,
Chennai - 600 006.
2. The Secretary to Government,
Health and Family Welfare Department,
Chennai - 600 009.