



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 03.02.2020
CORAM

THE HON'BLE MRS.JUSTICE J.NISHA BANU

WEB COPY

Cont.P. (MD) No.1595 of 2019

in

W.P. (MD) .No.7717 of 2015

1.C.Petchiraj
2.S.Shanmugakumari
3.C.Selvi
4.Koilmani

... Petitioners/Petitioners

-Vs-

1.T.K.Ramachandran,
The Chairman,
V.O.Chidambaranar Port Trust,
Thoothukudi.

2.Girish P.Naik,
Secretary,
V.O.Chidambaranar Port Trust,
Administration Department,
Thoothukudi.

... Contemnors / Respondents

Prayer: Contempt Petition filed under Section 11 of the Contempt of Courts Act, praying to punish the contemnors/respondents for their willful and deliberate disobedience of the order of this Court in W.P. (MD) .No.7717 of 2015, dated 21.06.2019.

Prayer in WP(MD) . 7717/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of certiorarified mandamus or anyother writ or order or direction in the nature of a writ calling for the records relating to the proceedings of the impugned seniority list circulated by letter No.S-6/4/2014-E.II/D.533 dated 18.02.2015 on the file of the 2nd respondent and quash the same and further directing the respondent port trust to refix the seniority of upper division clerks as per ratio 3:1 provided under the rules.

For petitioners : Mr.G.Prabhu Rajadurai

For respondents : Mr.A.Arivuchandran



ORDER

The petitioners have come up with this contempt petition alleging that the respondents have not complied with the order of this Court, dated 21.06.2019, passed in W.P.(MD).No.7717 of 2015. In the said order, this Court has directed the respondents to take a decision on the objections/appeals to be submitted by the petitioners and to prepare final seniority list strictly in accordance with rules and publish the same within a stipulated time. This Court has also given liberty to the petitioners/employees to approach the competent appellate authority in respect of any further grievance with regard to seniority list.

2. Today, when the matter came up for hearing, learned senior counsel appearing for the respondents submitted that in the last occasion, this Court directed the respondents to produce the entire seniority list and accordingly, he produced the entire seniority list today. He would further submit that as directed by this Court in the writ petition, if the petitioners have any grievance, they could approach the competent appellate authority for redressal of their grievance.

3. The learned counsel appearing for the petitioners submitted that the seniority list has not been prepared by strictly following the rules. Hence, the petitioners may be given certain time to question the seniority list before the appellate authority, as the limitation period lapsed in the meantime.

4. At this juncture, learned senior counsel appearing for the respondents submitted that the respondents have no objection in granting time to the petitioners to challenge the seniority list.

5. As the respondents have complied with the order of this Court dated 21.06.2019, this Contempt Petition is closed. However, the petitioners are granted liberty to question the seniority list before the competent appellate authority within a period of one month from today. In the event of the petitioners filing appeals within the above stipulated time, the competent appellate authority shall take on file without questioning the limitation and consider the same on merits. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



To

1.T.K.Ramachandran,
The Chairman,
V.O.Chidambaranar Port Trust,
Thoothukudi.

2.Girish P.Naik,
Secretary,
V.O.Chidambaranar Port Trust,
Administration Department,
Thoothukudi.

+1 CC to M/s.A.ARIVUCHANDRAN, Advocate (SR-4705[F]

+1 CC to M/s.G.PRABHU RAJADURAI, Advocate (SR-4805[F]

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