



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated 14.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

Cont.P.(MD)No.1677 of 2019

(Through Video Conferencing)

WEB COPY

S.Ravichandran

... Petitioner/Petitioner

Vs.

1.Beela Rajesh,I.A.S.,
Principal Secretary to Government
Health and Family Welfare Department
Fort St. George,
Chennai.

2.Dr.T.S.Swathi Rathinavathi
Director,
Medical and Rural Welfare Services,
Health and Family Welfare Department
Chennai-6

3.Dr.R.Narayanababu
Director of Medical Education,
Keelpauk
Chennai-600 010.

4.Dr.Pavalan
Dean
Government Medical College,
Tuticorin

... Contempnors/Respondents

PRAYER : Contempt Petition filed under Section 11 of Contempt of Courts Act to punish the respondents for deliberate and wilful disobedience of the order passed by this Court in W.P.(MD) No.21716/2018 dated 23.10.2018.

PRAYER IN WP(MD).21716 OF 2018: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to grant Selection Grade in the post of Assistant Surgeon and Special Grade in the post of Assistant Professor and further to promote the petitioner to the post of Associate Professor (Medical Services) in the order of seniority only for the purpose of monetary benefits alone by directing the respondents to expedite the process pursuant to the proceedings of the 2nd respondent in Na.Ka.No.9446/Ne2/2012, dated 16.08.2018 by fixing a time frame to grant all the attendant and other benefits including disbursement of the monetary benefits and arrears and further directing the respondents to revise pension accordingly.



For Petitioner : Mr.B.Saravanan
For Respondents : Mr.K.P.Krishnadoss
Special Government Pleader

O R D E R

Alleging that the order of this Court has not been complied with, the petitioner is before this Court with this contempt petition.

2.When the contempt petition is taken up for hearing, the learned counsel appearing for the petitioner submitted that the order has not been complied with fully and he may be given liberty to question the order that deprived him the benefit of notional promotion and the consequential benefits.

3.However, it is represented by the learned Special Government Pleader that the entire benefits have been granted to the petitioner and the petitioner has completed only five years of service and hence, he is not entitled to further promotion and hence, the request is rightly rejected. The said submission is recorded.

4.This Court is not going to adjudicate the points raised by both sides on merits. However, liberty is given to the petitioner to challenge the portion of the order, which has not given him the notional benefits and it is open to the respondents to take all defence available to them, if the order is questioned by the petitioner.

5.Accordingly, the contempt petition is closed.

Sd/-

Assistant Registrar (CS-III)

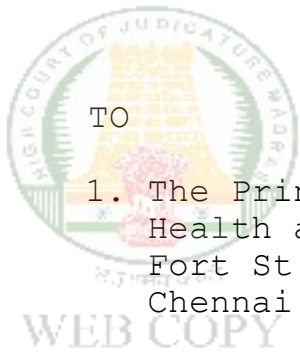
// True Copy //

/ /2020

Sub Assistant Registrar (CS)

RR

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



TO

1. The Principal Secretary to Government
Health and Family Welfare Department
Fort St. George,
Chennai.

2. The Director,
Medical and Rural Welfare Services,
Health and Family Welfare Department
Chennai-6.

3. The Director of Medical Education,
Keelpauk
Chennai-600 010.

4. The Dean
Government Medical College,
Tuticorin.

+1 CC to M/s.SP1 GP (SR-25544[F] dated 15/12/2020)

Cont.P. (MD) No.1677 of 2019
14.12.2020

ARK(CO)
KB(22.12.2020) 3P 6C