



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE **D.KRISHNAKUMAR**

Cont.P.No.768 of 2020

K.Ezhumalai,  
No.5-43E, West Street,  
Balaji Nagar,  
Paandur Village & Post,  
Ulundurpettai Taluk,  
Kallakurichi District

... Petitioner

Vs

Mr.A.Kadher Ali,  
Tahsildhar,  
Ullundurpet Taluk,  
Kallakurichi District.

... Respondent

Prayer:- Contempt Petition filed under Section 11 of the Contempt of Courts Act, to punish the respondent herein for his wilful disobedience and non-compliance of the order passed by this Hon'ble Court made in W.P.No.2685 of 2011, dated 19.12.2018.

For Petitioner : Mr.S.V.Karthikeyan  
For Respondent : Ms.P.Rajalakshmi, AGP

**ORDER**

Heard Mr.S.V.Karthikeyan, learned counsel appearing for the petitioner and Ms.P.Rajalakshmi, learned Additional Government Pleader appearing for the respondent.

2. According to the petitioner, the respondent has rejected the claim of the petitioner for appointment to the post of Village Assistant on the



ground that he is suffering with more than 80% of disability. Therefore, the respondent may be directed to comply with the order passed by this Court in W.P.No.2685 of 2011 dated 19.12.2018 directing the respondent to consider the application of the petitioner and pass appropriate orders after production of the relevant original documents but the respondent has rejected the claim of the petitioner for the reason as stated above.

3.The learned Additional Government Pleader would submit that pursuant to the order passed by this Court, the respondent was unable to consider the case of the petitioner as he is suffering with 80% disability and therefore, he cannot able to perform his duty properly. Hence, the respondent in compliance of the order of this Court, has rightly considered the claim of the petitioner and rejected the same in accordance with law. Therefore, the learned Addl.Government Pleader would submit that if the petitioner is aggrieved over the said rejection order, he can very well challenge the same if he is so advised.

4. Considering the above, in pursuance of the order of this Court, it appears that the respondent has passed the order, however, rejecting the claim of the petitioner on the ground that the petitioner is suffering with 80% disability and he cannot perform his duty properly. Therefore, if the petitioner is aggrieved over the rejection order, he can challenge the same if



complied with the order of this Court, nothing survives to proceed with the contempt petition.

5. Accordingly, the Contempt Petition is closed with a liberty to challenge the aforesaid order if he is so advised. No costs.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

dn

//Certified to be true copy//

Dated at Madras this the                      day of                      2021.

COURT OFFICER(O.S.)

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

GS/13/07/2021

To  
The Tahsildhar,  
Ullundurpet Taluk,  
Kallakurichi District.