



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.08.2021

CORAM

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

Writ Petition Nos. 3880, 13136 and 13137 of 2017
and
Contempt Petition Nos. 115 and 116 of 2018

WP No. 3880 of 2017

V. Rajendran
Zonal Deputy Block Development Officer
Thirumarugal
Nagapattinam District

.. Petitioner

Versus

1. The District Collector
Nagapattinam District
Nagapattinam
2. A. Lawrence
Deputy Block Development Officer
O/o. Block Development Office
Semmanar Koil
Nagapattinam District
3. J.M. Mohammed Jaleel Maraikkayar
Assistant
O/o. Project Director
District Rural Development Agency
Collectorate
Nagapattinam District
4. V. Senbagavalli
Assistant
Block Development Office
Vedaranyam
Nagapattinam District
5. T. Tamilselvi
Deputy Block Development Officer
Block Development Office
Sirkali
Nagapattinam District
6. A. Rengabashyam
Assistant
Thalaignayiru Panchayat Union
Nagapattinam District



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7. R. Anbalagan
Assistant
O/o. Project Director
District Rural Development Agency
Collectorate
Nagapattinam District

8. P. Prakash
Assistant
O/o. Project Director
District Rural Development Agency
Collectorate
Nagapattinam District

.. Respondents

WP No. 13136 of 2017

V. Rajendran
(former Zonal Deputy Block Development Officer, Grade-I)
Now as Assistant
O/o. Block Development Officer
Keelvelur
Nagapattinam District

.. Petitioner

Versus

1. The District Collector
Nagapattinam District
Nagapattinam

2. S. Rajakannan
Zonal Deputy Block Development Officer
Panchayat Union
Keelvelur
Nagapattinam District

3. A. Jayaraman
Zonal Deputy Block Development Officer
Panchayat Union
Sirkali
Nagapattinam District

.. Respondents

WP No. 13137 of 2017

S. Murugan
(former Zonal Deputy Block Development Officer (NMS))
Now as Assistant
O/o. Assistant Director (Audit)
Nagapattinam
Nagapattinam District

.. Petitioner



1. The District Collector
Nagapattinam District
Nagapattinam

2. K. Manikandan
Deputy Block Development Officer (NMS)
Panchayat Union
Nagapattinam
Nagapattinam District

3. A. Jayaraman
Zonal Deputy Block Development Officer
Panchayat Union
Sirkali
Nagapattinam District

.. Respondents

Contempt Petition No. 115 of 2018

V. Rajendran
(former Zonal Deputy Block Development Officer, Grade-I)
Now as Assistant
O/o. Block Development Officer
Keelvelur
Nagapattinam
Nagapattinam District .. Petitioner/Petitioner/Petitioner

Versus

Dr. S. Suresh Kumar
District Collector
Nagapattinam District
Nagapattinam .. Respondent/1st Respondent/1st Respondent

Contempt Petition No. 116 of 2017

S. Murugan
(former Deputy Block Development Officer (NMS)
Now as Assistant
O/o. Assistant Director (Audit)
Nagapattinam
Nagapattinam District .. Petitioner

Versus

Dr. S. Sureshkumar, I.A.S.,
District Collector
Nagapattinam
Nagapattinam District .. Respondents

WP No. 3880 of 2017:- Petition filed under Article 226 of
<https://hcservices.ecourts.gov.in/hcservices/>
the Constitution of India praying to issue a Writ of
Certiorarified Mandamus to call for the records connected in
Na.Ka.No.3623/R.D-4/2016 dated 30.01.2017 of the first



respondent and quash the same and direct the first respondent to prepare the seniority list in the post of Junior Assistant and Assistant as per the rules and also direct the first respondent to prepare the promotion panel to the post of Assistant and Deputy Block Development Officer as per rules.

WP No. 13136 of 2017:- Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records connected in Na.Ka.No.3623/R.D-4/2016 dated 14.02.2017 (served on 22.02.2017) and Na.Ka.No.1122/R.D4/2017 dated 10.04.2017 (served on 17.04.2017) passed by the first respondent and quash the same in so far as the petitioner is concerned and direct the first respondent to allow the petitioner to continue in the promotion post of Deputy Block Development Officer.

WP No. 13137 of 2017:- Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records connected in Na.Ka.No.3623/R.D.4/2016 dated 14.02.2017 (served on 22.02.2017) and Na.Ka.No.3623/R.D.4/2016 dated 14.02.2017 (served on 22.02.2017) passed by the first respondent and quash the same in so far as the petitioner is concerned and direct the first respondent to allow the petitioner to continue in the promotion post of Deputy Block Development Officer.

Contempt Petition No. 115 of 2018:- Petition filed under Section 11 of The Contempt of Courts Act praying to punish the respondent for disobeying the order of this Court dated 24.05.2017 in WMP No. 14120 of 2017 in WP No. 13136 of 2017.

Contempt Petition No. 116 of 2018:- Petition filed under Section 11 of The Contempt of Courts Act praying to punish the respondent for disobeying the order of this Court dated 24.05.2017 in WMP No. 14123 of 2017 in WP No. 13137 of 2017.

WMP Nos.14120 and 14123 of 2017 : To grant an interim stays, staying the operation of the impugned orders passed by the 1st Respondent in Na.Ka.No.3623/R.D.4/2016, dated 14.02.2017 (Served on 22.02.2017), Na.Ka.No.3623/R.D.4/2016, dated 14.02.2017 (Served on 22.02.2017) and Na.Ka.No.1122/R.D.4/2017 dated 10.04.2017 (Served on 17.04.2017).

WP Nos. 3886,13136 and 13137 of 2017

For Petitioner : Mr. G. Elanchezhiyan

For Respondents : Mr. Stalin Abhimanyu
<https://hcservices.ecourts.gov.in/hcservices/> Government Counsel for R1



Contempt Petition No. 115 & 116 of 2018

For Petitioner : Mr. G. Elanchezhiyan
For Respondent : Mr. Stalin Abhimanyu
Government Counsel

COMMON ORDER

WP No. 3880 of 2017 has been filed by the petitioner challenging the proceedings dated 30.01.2017, by which, the first respondent revised the seniority of the petitioner and others in the cadre of Block Development Officer.

2. WP No. 13136 and 13137 of 2017 have been filed by the respective Petitioners challenging two orders, both dated 14.02.2017, passed by the first respondent. By the first order dated 14.02.2017, the petitioners were reverted from the post of Block Development Officer to the post of Assistant. By the subsequent order dated 14.02.2017, the petitioners were issued posting order in the reverted post of Assistant.

3. It is seen that all these writ petitions are filed by the petitioners questioning the correctness and/or validity of the order of reversion as also the order of transfer, transferring the petitioners in the reverted post.

4. When Writ Petition Nos. 13135, 13136 and 13137 of 2017 were listed for hearing on 24.05.2017, this Court granted an order of interim stay, in so far as the petitioners therein are concerned.

5. According to the petitioners, inspite of the grant of interim stay, the first respondent did not permit them to continue in the promoted post of Zonal Deputy Block Development Officer, which according to them, is in violation of the interim order dated 24.05.2017 passed by this Court. Therefore, the two contempt petitions have been filed.

6. When these contempt petitions as well as the writ petitions are listed today for hearing, the learned Government Counsel appearing for the first respondent submitted that by proceedings in Rc.No.1814/RD4/2021 dated 04.08.2021 of the first respondent, the petitioners herein namely Rajendran and Murugan were given temporary promotion to the post of Zonal Deputy Block Development Officer. The order dated 04.08.2021 reads as follows:-

"In continuance of the reference 3rd cited, following Assistants have been temporarily promoted as Deputy Block Development Officer as per Tamil Nadu Subordinate Service Rule 39 (a) (i) in the Panchayat Development Unit, in Nagapattinam District, subject to the final outcome of Writ Petition No. 13135/2017, 13136/2017 and 13137 of 2017, pending before the Honourable High Court of



Judicature at Madras.

The petitioner Mr. S. Chandrasekar has been awarded punishment of one year stoppage of increment as per Nagapattinam District Collector proceedings dated 30.12.2020 and his promotion will be considered after the currency of his punishment i.e., 01.03.2022."

In the light of the above fact that temporary promotion has already been given to the petitioners herein namely Thiru. V. Rajendran and Thiru. S. Murugan, all the writ petitions as well as contempt petitions are closed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-IV)

//True copy//

Sub Assistant Registrar

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To

The District Collector
Nagapattinam District
Nagapattinam.

WP Nos. 3880, 13136 & 13137/2017
and
Cont.P Nos. 115 and 116/2018

PVS(CO)
GMY(15/11/2021)