



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 17.12.2021
CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

CONT.P(MD)No.1184 of 2021

S.Karuthamani

... Petitioner/Petitioner

vs..

1. Mr.Muniyanathan, I.A.S.,
The Director of Adi-Dravidar Welfare,
Elizhagam,
Chepauk, Chennai - 600 005.

2. Mr.P.Anbazhagan,
The District Adi-Dravidar and Tribal Welfare Officer,
Collectorate,
Trichy District
Trichy.

... Contemnor/1st Respondent/
2nd Respondent

PRAYER: Petition filed under under Section 11 of the Contempt of Court Act, 1971, to punish the contemnor for the deliberate and willful disobedience of the order, dated 05.02.2020 passed by this Court in W.P.(MD)No.12782 of 2014.

Prayer in WP(MD) . 12782/ 2014 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus , directing the respondents to regularize the services of the petitioner as Water carrier in Milaguparai , Adi Dravidar Welfare School in Trichy Tk Trichy District, in Terms of the order in G.O.Ms. No. 27 (ADW) - 4 Department 15.02. 2006 for according relaxation to the petitioner for not having been recruited through Employment Exchanges, directing to regularize the services from the date of the entry in Service i.e from 13. 11.2984 and to notionally fixin her salary in time scale of pay and awarding the monetary benefits with effect from 15.2.02206.

For Petitioner : Mr.C.Venkatesh Kumar
for Ajmal Associates

For R-1 and R-2 : Mr.D.Sachi Kumar
Additional Government Pleader

O R D E R

This writ petition is filed for seeking regularization of service of the petitioner. This Court, vide order, dated 05.02.2020 has held the above case is applicable to the present case for the following reasons and the relevant portion is extracted hereunder:

"7. The above case is squarely applicable to the present case on hand. For all the foregoing reasons, more particularly, the learned Additional Government Pleader also undertook to consider the petitioner's representation for regularization of her service, as per the order passed in W.P.No.26721 of 2009, there shall be a direction the respondents herein to consider the representation of the petitioner for regularization of her service, in the light of the orders passed by this Court in W.P.(MD)No.26721 of 2009, within a period of twelve weeks from the date of receipt of a copy of this order."

2. The learned Counsel appearing for the respondent has submitted that the petitioner was appointed as Water-Carrier, is not a sanctioned post. There is no post called for Water-Carrier and the post is an irregular appointment without calling for the list from the Employment Exchange.

3. Therefore, this Court is of the opinion that there is no contempt, however, liberty is granted to the petitioner to challenge the rejection order, dated 15.12.2021. The respondents are directed to circulate this order copy through register post to the petitioner.

4. Hence, the Contempt Petition is closed. No costs.

Sd/-

Assistant Registrar (CRL)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

jbr

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

<https://hccwebportal.gov.in/hccservices>



To

1. Mr.Muniyanathan, I.A.S.,
The Director of Adi-Dravidar Welfare,
Elizhagam,
Chepauk, Chennai - 600 005.

2. Mr.P.Anbazhagan,
The District Adi-Dravidar and Tribal Welfare Officer,
Collectorate,
Trichy District
Trichy.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-39534[F] dated
20/12/2021)

CONT.P (MD) No.1184 of 2021
17.12.2021

MA (CO)
SB (29.12.2021) 3P 4C