



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.12.2021

CORAM

THE HONOURABLE MRS.JUSTICE **S.SRIMATHY**

CONT P(MD)No.1670 of 2021

WEB COPY

M.N.Surendran Nair

... Petitioner / Petitioner

vs.

1.Kumaraguruparan, IAS.,
Commissioner,
Hindu Religious and Charitable
Endowments (Administration) Department,
Nungambakkam High Road,
Chennai-600 034.

2.S.Selvaraj,
Joint Commissioner cum Executive
Officer (Full Additional Charge),
Incorporate and Unicorporated Devaswoms,
Suchindrum,
Kanyakumari District-629 704.

... Contemnors 1&2/Respondents 2&3

PRAYER: Petition filed under under Section 11 of the Contempt of Court Act, 1971, to punish the respondent for wilfully disobeying and not complying with the order of this Court, dated 23.02.2021 in W.P.(MD)No.2152 of 2016.

Prayer in WP(MD). 2152/ 2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the Respondents 1 to 3 herein to refix the scale of pay of the petitioner as Rs. 2610-60-3150-65-3540 on par with the refixed scale of pay of the post of Sirappu Kavalar with the effect from 1.7.1997 along with monitory benefit and disburse the arrears of revised scale of pay with effect from 1.7.1997

For Petitioner	: Mr.S.Bharathy Kannan
For R-1	: M/s.D.Farjana Ghoushia Special Government Pleader
For R-2	: Mr.K.Sathya Singh

O R D E R

This Contempt Petition is filed for non compliance of the order passed in the Writ Petition W.P.(MD)No.2152 of 2016, vide order, dated 23.02.2021. This Court directed the respondents as follows:

"5.In view of the submissions made on either side, this Court direct the concerned respondents to



consider the petitioners' representation, dated 11.02.2016 and 21.04.2011 and extend the benefit of G.O.Ms.No.257, (Department of Tamil Development - Culture and Religious Endowments), dated 10.06.1998, and pass orders on merits and in accordance with law, if the said G.O. is applicable to the petitioner, within a period of twelve weeks from the date of receipt of a copy of this order."

2.This Court has directed the respondents to consider whether the Government order is applicable to the petitioners and if applicable, pass an order. The respondents considered the same and passed an order on 17.08.2021, stating that the said Government order is not applicable to the petitioner.

3.This Court is convinced by this order that there is no Contempt of Court. However, if the petitioner is aggrieved by this order, liberty is granted to the petitioner to challenge the order in accordance with law.

4.Accordingly, the Contempt Petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Tmg

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 Commissioner,
Hindu Religious and Charitable
Endowments (Administration) Department,
Nungambakkam High Road,
Chennai-600 034.



2. Deputy Commissioner cum Executive
Officer (Full Additional Charge),
Incorporate and Unicorporated Devaswoms,
Suchindrum,
Kanyakumari District-629 704.

WEB COPY

+1 CC to M/s.K.SATHIYA SINGH, Advocate (SR-37874[F] dated
09/12/2021)

+1 CC to M/s.SPL GP (SR-37903[F] dated 09/12/2021)

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RD(20.12.2021) 3P 5C