



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Wednesday, the Twenty Seventh day of January
Two Thousand and Twenty One

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

SUB A(MD) . No.272 to 274 of 2017
in
Cont.P(MD)N0s 47 to 49 of 2016

1.Gajendran,
Managing Director (Incharge)
Now Managing Director
K.Moni,
Tamil Nadu State Transport Corporation
Tirunelveli Ltd.
Kattabomman Nagar,
Maharaja Nagar
Tirunelveli District

....1st Petitioners/Contemnor
(In all Petitions)

2.Gajendran
The General Manager,
Now General Manager,
B.Selva Gomathi Kumar
TamilNadu State Transport Corporation Tirunelveli Ltd.,
Vannarapettai, Tirunelveli, Tirunelveli District.

... 2nd Petitioner/contemnor
(In Sub A.Nos 272 & 274 /2017)

Vs

T.Prabakar Rao,
Principal Secretary to Govt., Transport
Department, Secretariat, Chennai-600 009.

... 1st Respondent/Contemnor
(In Sub A(MD).272 and 274 of 2017)

S.Saint Ravirajan

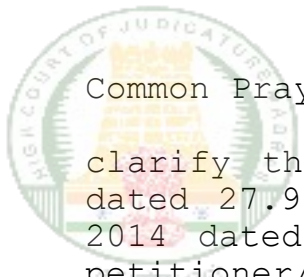
... 2nd Respondent/Petitioner
(In Sub. A. (MD)No.272/2017)

T.Antony Xavier Raj

... Respondent/Petitioner
(In Sub. A.(MD)No.273/2017)

P.Maruthiah

... 2nd Respondent/Petitioner
(In Sub. A. (MD)No.274/2017)



Common Prayer in SUB A(MD). No.272 to 274 of 2017:-

These Petitions filed under section 151 of C.P.C to clarify the Common order made in Cont.P(MD) No.47 to 49 of 2016 dated 27.9.2016 as the common order made in W.P(MD) No.11076 of 2014 dated 12.10.2015 is complied with by the proceedings of the petitioner/contemnor in No.14882/P2/TNSTC/TNV/2015 dated 23.1.2016

Common Prayer in CONT P(MD). 47 to 49 of 2016 :

These Contempt Petitions filed under 11 of Contempt of Courts Act to punish the respondents for the deliberate violation and wilful disobedience of the Common order dated 12.10.2015 made in W.P(MD)No.11076 and 11476 of 2014 and 4479 of 2015 on the file of this Court.

Prayer in WP(MD). 11076/ 2014 :

Writ Petition filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the Respondents to consider the Petitioner's representation dated 16.06.2014 and re-designate the Petitioner as Junior Assistant retrospectively from the date on which the Petitioner obtained the degree in the same manner the posts of the persons who were appointed along with the Petitioner as Record Clerks were re-designated as Junior Assistant from the date of their acquiring degree.

Prayer in WP(MD). 11476/ 2014 :

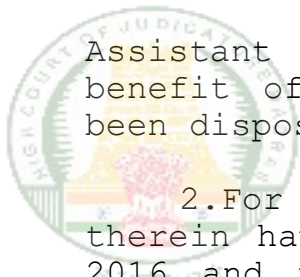
Writ Petition filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Mandamus directing the respondent to re-designate his petitioner as Junior Assistant with effect from the date of his completion of degree on April 1988 and to grant all consequential benefits by considering the representation of the petitioner dated 19.6.2014.

Prayer in WP(MD). 4479/ 2015 :

Writ Petition filed under Article 226 of the Constitution of India, praying this Court To issue Writ of Certiorarified Mandamus or any other order or orders in the nature of writ calling for records relating to the proceedings of the impugned order in Ka No.12599/Niya2/TNSTC/Thili/14 dated 25.10.2014 on the file of the third respondent and quash the same and directing the Respondents to re-designate the petitioner as junior Assistant with effect from the date of his completion of degree in the month of November 1986 and to grant consequential benefits.

ORDER:- These petitions coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Thiru.A.Jeyaram, Advocate for the Petitioners this Court made the following order:

This Court, by order dated 12.10.2015, in W.P(MD).Nos.11076, 11476 of 2014 and 4479 of 2015, issued a direction to the respondents therein to redesignate the petitioners as Junior



Assistant from the date of acquisition of decree without granting benefit of back-wages. Accordingly, the said writ petitions have been disposed of.

2. For non-compliance of the said order, the petitioners therein have filed Contempt Petitions in Cont.P(MD)Nos.47 to 49 of 2016 and thereafter, the said contempt petitions were closed on 27.09.2016. Since, there was some mistake in the order dated 27.09.2016, the petitioner/contemnors filed the present Sub Applications before this Court.

3. It appears that the said Sub Applications are not maintainable, since the order of this Court dated 12.10.2015 had already been complied with. If at all the petitioners(*) are having any grievance, they work out their remedy by filing appropriate application before the appropriate authority.

4. In view of the above, these Sub Applications are closed.

Sd/-

Assistant Registrar(CS-III)

(*) Deleted As per order dated 26/03/2021

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

(*) to Be substituted the order already despatched on 12.02.2021

1. The Principal Secretary to Govt. Transport
Department Secretariat Chennai-09

ORDER DATED : 27/01/2021

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ORDER

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SUB A(MD). No.272 to 274 of 2017
in

Cont.P(MD)N0s 47 to 49 of 2016

Giving direction and etc.
as stated within.

KM(CO)

TR(09.02.2021) 3P 2C

KB(27.04.2021) 3P 2C

<https://hcservices.ecourts.gov.in/hcservices/>