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Contempt Petition No.1079 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2022

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

Contempt Petition No.1079 of 2022

R. Vishnupriyan

... Petitioner

Vs

Tmt.D.Rathna, IAS,
The Director of Social Welfare,
2nd Floor, Panagal Building,
Saidapet, Chennai-600 015.

... Respondent

Contempt Petition filed under Section 11 of Contempt of Courts Act to punish the respondent for wilfully disobeying the order passed in WP No.1866 of 2020 dated 23.07.2021.

For petitioner	...	Mr.G.Sankaran
For Respondent	...	Mr.S.Silambanan Additional Advocate General Assisted by Mr.E.Veda Bagath Singh

ORDER

When the petitioner's application seeking for compassionate appointment was not processed on the ground that it was not accompanied with legal heir



certificate, I had given liberty to the petitioner to submit all the supporting documents seeking for compassionate appointment before the respondent and accordingly, directed the respondents to consider those documents and grant appointment on compassionate ground. Alleging disobedience, this contempt petition is filed.

2. Today, when the matter was called, learned Additional Advocate General submitted that after the petitioner had submitted all the documents, including adoption certificate, they had raised doubt with regard to the validity of the adoption certificate and has rejected the petitioner's claim dated 16.09.2022. The entire claim of the petitioner revolves around his adoption by the Government employee, who is the aunt of the petitioner. Further more, the respondent has also raised doubt with regard to the legal heirship certificate, which does not show the Government employee's mother as one of the legal heirs and on this ground also the respondent has rejected the petitioner's claim.

3. Since the very basis of the claim for compassionate appointment is on the adoption certificate as well as the legal heirship certificate, the validity of which has now been questioned by the respondent through proceedings dated



Contempt Petition No.1079 of 2022

16.09.2022, non-consideration of the direction passed by this Court in the writ petition cannot be termed to be a wilful disobedience. Nevertheless, if the petitioner is aggrieved by the rejection order dated 16.09.2022, it is always open to challenge the same in accordance with law.

Accordingly, the Contempt Petition is closed.

16.12.2022

Index: Yes/ No
Speaking Order/Non-speaking Order
sr



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Contempt Petition No.1079 of 2022

M.S.RAMESH,J.,

sr

Contempt Petition No.1079 of 2022

16.12.2022

15.12.2022