



Cont.P.No.1261 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2022

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

Cont.P.No.1261 of 2022

A.Velvizhi

... Petitioner

Vs.

1.Thiru A.Shanmugasundaram, IAS.,
Registrar of Co-operative Societies,
N.V.M.Maligai, Kilpauk, Chennai – 600 010.

2.Thiru P.Balamurugan,
Zonal Joint Registrar of Co-operative Societies,
Villupuram Division, Villupuram.

3.Thiru V.Gurusamy,
Deputy Registrar of Co-operative Societies,
Tindivanam, Villupuram.

4.Thiru.T.Murthy,
Special Officer/Secretary,
C.L.Spl.88, Nallathur Primary Agricultural
Co-operative Bank Ltd,
Nallathur Post, Tindivanam Taluk,
Villupuram District.

... Respondents

Prayer: Petition filed under Section 11 of Contempt of Courts Act, to
punish the respondent for the wilful disobedience of the order dated
29.10.2021 made in W.P.No.23526 of 2021.



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For Petitioner : M/s.A.Pramila

For Respondents : Mrs.C.Meera Arumugam
Additional Government Pleader
for R1 to R3
Mr.J.Hudson Samuel for
M/s.Paul & Paul
for R4

ORDER

The petitioner has filed this contempt petition alleging violation on the part of the respondents to comply with the order of this Court dated 29.10.2021 in W.P.No.23526 of 2021. Para 7 of the said order reads as under:-

“It is noticed that the petitioner has also already filed a writ petition in W.P.No.31492 of 2002 on an earlier occasion which came to be disposed on 31.07.2022. Even on that day, the Single Judge of this Court has noted that there is a unexplained and unreasonable delay on the part of the authority concerned. The impugned order has been now passed after a lapse of another 19 years. The Hon'ble Supreme Court in Indian Bank Vs. Promila and Another (2020) 2 SCC 729 has held that the appointment on compassionate ground has to be made in terms of the Government Orders prevailing on the date of application. Considering the fact that the Hon'ble Supreme Court has held that the appointment on compassionate ground should be in terms of the prevailing Government order which rules as on the date of the application, this writ petition is disposed of by directing the respondents to pass appropriate orders for appointing the petitioner in terms of the



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prevailing Government orders in 1998. In case the petitioner was entitled to be appointed in the year 1998 at the time when the initial application/representation sent for appointment, the respondents shall appoint the petitioner on compassionate ground. It is also made clear that the respondents shall before appointing the petitioner as compassionate ground shall also be examine whether the family of the petitioner was indeed in indigent circumstances. The said exercise shall be carried out by the respondents within a period of six months from the date of receipt of a copy of this order. It is made clear that since the petitioner's sister already passed away on 06.03.1998, the service of the petitioner's sister shall be deemed to have been regularized in terms of G.O.Ms.No.86 dated 12.03.2021 for the limited purpose of considering the request of the petitioner on compassionate ground.”

2.The order passed by this Court in W.P.No.23526 of 2021 dated 29.10.2021 has merely directed the respondents to consider the petitioner's application for appointment on compassionate ground and in the light of the existing guidelines and Government Orders.

3.The respondents have now passed an order dated 21.07.2022 bearing reference Rc.No.5858/2021/SF. Therefore, there cannot be an order for punishing the respondents for contempt of court as the



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respondents have now passed an order dated 21.07.2022 bearing reference Rc.No.5858/2021/SF. It is however open for the petitioner to challenge the same in the manner known to law.

4. Accordingly, this Contempt Petition is dismissed. No costs.

17.08.2022

Index : Yes/ No
Internet : Yes/No
Speaking/Non-Speaking Order
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To

1. Thiru A. Shanmugasundaram, IAS.,
Registrar of Co-operative Societies,
N.V.M. Maligai, Kilpauk, Chennai – 600 010.
2. Thiru P. Balamurugan,
Zonal Joint Registrar of Co-operative Societies,
Villupuram Division, Villupuram.
3. Thiru V. Gurusamy,
Deputy Registrar of Co-operative Societies,
Tindivanam, Villupuram.
4. Thiru. T. Murthy,
Special Officer/Secretary,
C.L. Spl. 88, Nallathur Primary Agricultural
Co-operative Bank Ltd,



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Nallathur Post, Tindivanam Taluk,
Villupuram District.

C.SARAVANAN, J.

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