



Cont.P.No.1494 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2022

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

Cont.P.No.1494 of 2022

A.Vijayakumar

... Petitioner

Vs.

Thiru.K.Phanindra Reddy, I.A.S.,
The Home Secretary,
Tamil Nadu Government,
Home (Police-2) Department,
Secretariat, Chennai - 600 009.

... Respondent

Prayer: Petition filed under Section 11 of Contempt of Courts Act, 1971, to punish the respondent for willfully disobeying the order passed by this Hon'ble Court in W.P.No.24678 of 2019 dated 09.08.2021.

For Petitioner : Mr.V.Chandrasekaran

For Respondent : Mrs.P.Rajarajeswari
Government Advocate

ORDER

The petitioner has filed this contempt petition, to punish the respondent for willfully disobeying the order of this Court in W.P.No.24678 of 2019 dated 09.08.2021.



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2. Earlier, this Court by an order dated 03.11.2022, directed the respondent to report compliance, within a period of three weeks from the date of receipt of a copy of the order and thereafter the case was listed today under the same caption 'for reporting compliance'.

3. Today, when the case was taken up for hearing, the learned Government Advocate for the respondent has filed a copy of the Government Order in G.O(Ms).No.899, Home (Police.2) Department dated 24.11.2022, the order has been complied with.

4. Pursuant to the aforesaid Government Order, wherein, Paragraph Nos.3 & 4 reads as follows:-

"3. The Government, after careful examination, have decided to accept the proposal of the Director General of Police. Accordingly, in exercise of the Powers conferred under Section 58 of the Tamil Nadu Government Servants (Conditions of Service) Act, 2016, the Governor of Tamil Nadu hereby relaxes the rule 4(G) of the Special Rules for the Tamil Nadu Police Service relating to the condition of completion of pre-promotion course for four weeks conducted by the Tamil Nadu Police Academy, Chennai and Section 7(1) read with Schedule XI, PART-A Para II(5) of the Tamil Nadu Government Servants (Conditions of Service) Act, 2016, since



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charge sheet has been filed in a criminal case is pending against the individual as on crucial date in favour of Thiru.A.Vijayakumar, Inspector of Police, and order that the name of Thiru.A.Vijayakumar be included in the temporary panel of Inspectors of Police (Taluk) fit for appointment by recruitment by transfer as Deputy Superintendent of Police (Category-1) for the year 2018-2019 as Sl.No.61(A) below his immediate senior Thiru.P.Sundaram at Sl.No.61 and above his immediate junior Thiru.N.Venkatesan at S.No.62, approved in the Government Order first read above subject to the outcome of the Cr.No.190/2012 u/s 353, 307 IPC @ 176 Cr.P.C filed by Crime Branch Criminal Investigation Department in PRC No.31/2015 pending before the Hon'ble Judicial Magistrate No.1, Tirunelveli and the SLP (Crl.).No.1424 of 2021 filed by Thiru.A.Vijayakumar against the orders of the Hon'ble Court dated 13.01.2020 in Crl.OP(MD).No.5997/2016 also.

4.The Government further order that his pay shall be fixed in the rank of Deputy Superintendent of Police (Category.I) with effect from 06.09.2019 on par with his immediate junior i.e., Thiru.N.Venkatesan, as per ruling 17 under Fundamental Rule 27."

5. In view of the above, this Contempt Petition is closed.

25.11.2022

Index : Yes/ No
Speaking/Non-Speaking Order

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To

Thiru.K.Phanindra Reddy, I.A.S.,
The Home Secretary,
Tamil Nadu Government,
Home (Police-2) Department,
Secretariat, Chennai - 600 009.



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C.SARAVANAN, J.

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