



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.03.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

Cont.P.(MD) No.1641 of 2021

1. S.R.Krishnankumar
2. G.Sundaramurthy
3. S.Kailasamurthy
4. S.Shakila
5. K.Sellappan
6. A.Vadamalai

... Petitioners/Petitioners

-vs-

1. Rajesh Lakhoni, I.A.S.,
The Chairman cum Managing Director,
TANGEDCO, 10th Floor,
NPKRR Maaligai,
144 Anna Salai, Chennai-600 002.

2. R.Krishnamoorthy,
The Chief Engineer/Personnel,
TNAGEDCO, 8th Floor,
NPKRR Maaligai,
144 Anna Salai,
Chennai-600 002.

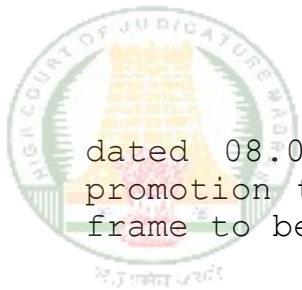
... Respondents/Contemnors

Prayer:- Petition filed under Section 11 of the Contempt of Courts Act to initiate contempt proceedings against the Contemnors/Respondents and punish the Respondents/Contemnors for the willful disobedience of the order of this Court in W.P.(MD)No.5161 of 2013 dated 24.11.2020.

Prayer in WP(MD). 5161/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, to call for the records relating to the proceeding No.(Per.) CMD TANGEDCO Proceedings No.29 dated 23.03.2013 issued by the 4th Respondent and Quash the same in so far as the Respondents 5 to 43 are concerned and consequently direct the Respondents to prepare panel for promotion to the post of Assistant Accounts Officer as on 25.03.2011 following (Per) FB TANGEDCO No.5

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dated 08.04.2011 by including the Petitioners with consequential promotion to the post of Assistant Accounts Officer within the time frame to be fixed by this Honble Court.

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For Petitioners : Mr.N.Arjun Kumar,
for Mr.S.Louis

For Respondents : Mr.Veerakathiravan,
Additional Advocate General
assisted by
Mr.S.Arivalagan

O R D E R

This contempt petition has been filed to punish the respondents for their wilful disobedience of the order passed by this Court on 24.11.2020 in W.P. (MD) No.5161 of 2013.

2. This Court passed an order in para 12 as follows:-

"12.In these view of the matter, the following orders are passed,

(i)The respondents 3 and 4 are directed to verify the entire service records of the employees concerned and ascertain the validity of their educational qualifications and other eligible criteria prescribed in the rules as well as in the Board Proceedings and accordingly, take a decision to consider the names for the promotion to the post of Assistant Account Officer by following the procedure contemplated.

(ii) In the event of any changes or amendments are sought to be made, then appropriate orders to be passed and accordingly, the promotions are to be granted by following the procedure contemplated.

(iii) After verification, if the authorities found that the petitioners are to be promoted then appropriate decision is to be taken to promote the seniors on par with their juniors with all attendant benefits.

(iv) The respondents 3 and 4 are directed to strictly follow the judgment of the Hon'ble Supreme Court of India and the High Court in the matter of validity of the degree qualification in consonance with the regular pattern of education prescribed by the university Grants Commission.

(v) The respondents 3 and 4 are directed to pass appropriate orders after taking decision in all these issues, as expeditiously as possible, preferably, within a period of four months from the date of



receipt of a copy of this order."

3. Perusal of the order would reveal that the respondents have to verify the service records of the employees concerned and after verification, consider grant of promotion and other benefits. The comprehensive order passed by this Court was implemented by the respondents.

4. The learned Additional Advocate General appearing on behalf of the respondents reiterated that the directions issued by this Court have been implemented by verifying the service records and by considering the cases of the writ petitioners.

5. The respondents have considered the service records of the petitioners and if at all no positive orders are passed in favour of the petitioners, it is left open to them to adjudicate the matter in the manner known to law. Contrarily, this Court cannot continue the proceedings in view of the fact that the willful intention or disobedience on the part of the respondents has not been established.

6. Accordingly, the Contempt Petition stands closed.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

abr

To

1. Mr.Rajesh Lakhoni, I.A.S.,
The Chairman Cum Managing Director,
TANGEDCO, 10th Floor, NPKRR Maaligai,
144 Anna Salai, Chennai-600 002.

2. Mr.R.Krishnamoorthy,
The Chief Engineer/Personnel,
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