



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.03.2022

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

Cont. P(MD)No.1966 of 2021

in

W.P(MD)No.5211 of 2021

K.Kannan

... Petitioner/Petitioner

Vs.

Elangovan,

General Manager,

Tamilnadu State Transport Corporation (Madurai) Ltd.,

Madurai Region,

Madurai -16.

...contemnor/Respondent

Prayer: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondent for committing contempt for the willful disobedience of the order passed by this Hon'ble Court in W.P.(MD).No. 5211 of 2021 dated 10.03.2021.

Prayer in WP(MD). 5211/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court S-10.May be pleased to issue a WRIT OF MANDAMUS or any other appropriate Writ or Order of Direction in the nature of Writ directing the respondents to promote the petitioner as Checking Inspector under 25 percent quota earmarked for the Graduate Conductors as per Service Rule SI.No.4 (a) Part c of Appendix II applicable to all Transport Corporation and to extend the benefit of similarly placed Graduate Conductors of other Regions of respondent Corporation in Dindigul and Virudhunagar and to pass such further or other orders as this Honble Court may deem fit and proper the facts circumstances of the case and thus render justice

For Petitioner

: Mr.S.Govindan

For Respondent

: Mr.J. Senthil Kumar

O R D E R

The contempt petition has been filed to convict the respondent for his wilful disobedience of the order of this Court passed in W.P.(MD)No.5211 of 2021, dated 10.03.2021.

2. This Court passed an order as follows:-

"5. Accordingly, there shall be a direction to the second



respondent to consider the petitioner's representation dated 20.10.2020 on its own merits and pass appropriate orders in accordance with law, within a period of three months from the date of receipt of a copy of this order

6. With the above direction, the Writ Petition stands disposed of"

3. Pursuant to the order of this Court to consider the representation submitted by the writ petitioner dated 20.10.2020 on its own merits, the respondent issued an order in proceedings dated 05.07.2021. The order states that as per the rules and considering the vacancy, five persons were already promoted as Checking Inspectors.

4. However, the case of the writ petitioner will be considered as and when the vacancy arises and as per the rules in force. The respondent has clarified in clear terms that the case of the petitioner will be considered as and when the vacancy in the cadre of Checking Inspectors arises and after ascertaining the eligibility and qualification of the petitioner as per the rules in force. This being the reply given by the respondent. In compliance of the order passed by this Court to consider the representation, this Court do not find any infirmity or wilful disobedience.

5. Accordingly, the contempt petition stands closed.

Sd/-

Assistant Registrar (Crl.Side)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

General Manager,
Tamilnadu State Transport Corporation (Madurai) Ltd.,
Madurai Region,
Madurai -16.

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KG(CO)

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