



Cont.P.No.1236 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2023

CORAM:

**THE HON'BLE MRS. JUSTICE J.NISHA BANU
AND**

**THE HON'BLE MRS. JUSTICE N.MALA
Cont.P.No.1236 of 2023**

1) Prathibha Malik

2) Ajai Malik

3) Krishna Devi

4) Harinarayanan Trivedi

... Petitioners

Vs.

1) Smt.Anshuli Arya,
The Secretary (Official Language),
Official Languages Department,
Ministry of Home Affairs,
NDCC-II Bhawan, 'B' Wing, 3rd Floor,
Jai Singh Road, New Delhi 110 001

2) Mr.Anil Kumar
Director Incharge,
Ministry of Home Affairs,
Department of Official Language,
Central Hindi Training Institute (CHTI), 7th Floor,
Pt.Deen Dayal Antyoday Bhawan,
(Paryavaran Bhawan), CGO Complex,
Lodhi Road, New Delhi 110 003



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3) Mr.T.Srinivasan, Registrar,
Central Administrative Tribunal, Madras Bench,
Chennai 600 104

... Respondents

PRAYER: Petition filed under Section 11 of the Contempts of Court Act, 1971, to punish the respondents for contempt of Court for not complying the order of the Court dated 09.04.2009 in W.P.No.14005 of 2004 by not complying the directions of this Court.

For Petitioners : Mr.K.Moorthy

For Respondents : Mr.C.Kulanthaivel
Senior Panel Counsel

ORDER

This Contempt Petition has been filed by the writ petitioners seeking to punish the respondents for not complying with the order of the Court dated 09.04.2009 passed in W.P.No.14005 of 2004.

2. Mr.C.Kulanthaivel, learned Senior Panel Counsel, appearing for the respondents, produced a copy of order passed in No.C-18011/4/2009-2022-CHTI, issued by the Director, Central Hindi Training Institute, Ministry of Home Affairs, Department of Official Language and submitted that, by the said Office Order dated 23rd June 2023, the order of this Court dated 09.04.2009 passed in W.P.No.14005 of 2004 has been implemented.



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3. The Office Order, dated 23 June 2023 reads as under:-

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Office Order

“Subject: Implementation of the decision dated 09.04.2009 passed by the Hon'ble Madras High Court in WP(C) No.14005/2004.

In view of the judgment of Hon'ble Madras High Court with respect to WP(C) No-14005/ dated 09.04.2009 passed in 2004, Department of Official Language, Ministry of Home Affairs, New Delhi vide its office order No. 21034/16/2021-Rabha(Training) dated 21.06.2023 has conveyed the approval of Competent Authority to equate the following four Hindi Pradhyapakhs (petitioners) to the post of Assistant Director (Language) with effect from 09.04.2009:-

- (a) Mrs. Pratibha Malik*
- (b) Shri Ajay Malik*
- (c) Ms. Krishna Devi*
- (d) Shri Harinarayan Trivedi*

Therefore, out of the above petitioners, Smt. Pratibha Malik and Ms. Krishna Devi are hereby equated to the post of Assistant Director (Language) with effect from 09.04.2009.

It is pertinent to mention here that balance two petitioners among the above, namely Shri Ajay Malik and Shri Harinarayan Trivedi, were already Assistant Director (Language) with effect from 03.06.2005 & 04.12.2006, respectively. Therefore, their promotion to the post of Assistant



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Director (Language) will remain effective as it was earlier from 03.06.2005 and 04.12.2006, respectively.”

4. The learned Senior Panel counsel would further submit that in view of the Office Order, dated 23.06.2023 passed by the competent authority, granting the relief claimed by the petitioners, the order of this Court made in W.P.No.14005 of 2004 dated 09.04.2009 has been duly complied with by the respondents herein and hence, the contempt petition may be closed, since no further order is required in this regard.

5. However, Mr.K.Moorthy, learned counsel for the petitioners has filed the additional affidavit before this Court and drew the attention of this Court to paragraph no.14 at Page No.7 and submitted that the order of this Court was not extended to similiarly placed persons, like that of the petitioners.

6. In respect of the petitioners before this Court, the order passed in W.P.No.14005 of 2004 dated 09.04.2009 has been complied with. If any other persons are aggrieved, it is always open to them to agitate in the manner known to law.



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7. Recording the compliance of the order of this court dated 09.04.2009,
this Contempt Petition is closed.

(J.N.B., J.) (N.M., J.)
12.07.2023

Index : Yes / No
Internet : Yes /No
Speaking order/ Non-Speaking order

sts

To:

- 1) Smt.Anshuli Arya,
The Secretary (Official Language),
Official Languages Department,
Ministry of Home Affairs,
NDCC-II Bhawan, 'B' Wing, 3rd Floor,
Jai Singh Road, New Delhi 110 001
- 2) Mr.Anil Kumar
Director Incharge,
Ministry of Home Affairs,
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J. NISHA BANU, J.
and
N.MALA, J.

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Central Administrative Tribunal, Madras Bench,
Chennai 600 104

Order made in
Cont.P.No.1236 of 2023

Dated:
12.07.2023