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Cont.P.No.563/2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :: 17-10-2023

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

AND

THE HONOURABLE MR.JUSTICE C.SARAVANAN

CONTEMPT PETITION No.563 of 2022

M.Stephen Joseph Devados Pandian ...

Petitioner

-VS-

1.Mrs.Swarna, I.A.S.,
presently the Chairperson/Managing Director,
Tamil Nadu Urban Infrastructure Financial Services,
No.19, T.P.Scheme Road,
Chennai -600 028.
(Formerly Secretary to Government,
Personnel and Administrative Reforms Department).

2.Tmt.Mythili K.Rajendran, I.A.S.,
Secretary to Government,
Personnel and Administrative Reforms Department,
(presently Human Resources Management Department)
Fort St.George,
Chennai – 600 009.

...

Respondents

Contempt Petition has been filed under Section 11 of the Contempt of Courts Act, 1971, to punish the respondents for wilful disobedience of the order of this Court, dated 23.12.2020, in W.A.No.2537 of 2019.



For Petitioner : Mrs.Dakshayani Reddy

For Respondents : Mr.P.Kumaresan,
Additional Advocate General,
assisted by Mr.S.John J.Raja Singh,
Addl.Govt.Pleader.

ORDER

(By *S.Vaidyanathan,J.*)

Both the parties would submit that pursuant to G.O.Ms.No.593, Public (Special A) Department, dated 03.10.2023, seniority of the petitioner has been revised. However, learned counsel for the petitioner would submit that the monetary benefits due to the petitioner have not been paid, for which the learned Additional Advocate General, appearing for the respondents, would submit that a representation may be made by the petitioner mentioning the amount due to him, so that the respondents will arrive at the actual amount payable to the petitioner.

2. In view of the above submissions, the petitioner is expected to make a representation to the respondents within a period of 15 days from the date of receipt of a copy of a copy of this order and, within three months thereafter, the respondents/Government shall calculate/compute the arrears of amount payable to the petitioner and pay the same. The respondents, who were directed to appear before this Court by an order, dated 25.08.2023, are present and their presence is discharged. They have also produced a copy of G.O. Ms.No.593, dated 03.10.2023, paragraphs 2 and 8 whereof are scanned below :



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2. In para 3 of the G.O. read above, included the 14 (fourteen) names in the panel of Under Secretaries to Government for the year 2008-2009 by revising their seniority on par with their juniors in the post of Section Officer. Accordingly, they are entitled to be considered for advancement / inclusion in the regular panel of Deputy Secretary to Government for the year 2010 published vide para 2 of the G.O. Ms. No.694,

Public (Special A) Department, dated 29.7.2010 and promoted as Deputy Secretary to Government on par with their juniors, as follows:-

Sl. No.	Name of the Deputy Secretary to Government Tvl.	Sl. No. in which the individual to be included in the DS panel.	Sl.No. Name of senior and the junior Tvl.	Date of promotion of the junior
(1)	(2)	(3)	(4)	(5)
1	A. Karunakaran	2(A)	Sl.No.2 N. Muthuvelappan (Senior)	30.7.2010 vide G.O. Rt.No.3046, Public (Spl.A) Dept., dated 30.7.2010
2	A. S. Sourienarayanan	2(B)		
3	M. Senthamarai	2(C)		
4	N. Mani	2(D)		
5	M. Marappan	2(E)		
6	M. Shyam Sundar	2(F)		
7	S. Chinnarajulu	2(G)	Sl.No.3 Tmt. V.Jayanthi (Junior)	
8	A. Govindaraj	2(H)		
9	C. Nepolian	2(I)		
10	M. Arachelvi	17(A)	Sl.No.17 K. Balakrishnan (Senior)	
11	K. S. Selvakumar	17(B)		
12	P. Muthupandy	17(C)	Sl.No.18 Tmt. M. Santhanam (Junior)	
13	R. Rajasekaran	17(D)		
14	G. Elangovan	17(E)		

8. The individuals referred to in paras 2 to 7 above are entitled for attendant benefits on par with the juniors in the posts of Deputy Secretary to Government, Joint Secretary to Government and Additional Secretary to Government as ordered by the Hon'ble High Court of Madras in W.P. Nos.15683 and 15684 of 2011, dated 3.8.2018.

3. Contempt Petition is, therefore, closed. Consequently, the connected Sub Application Nos.709 and 710 of 2023 are closed. Liberty is also given to the petitioner to take appropriate steps against the respondents in case of non-payment of monetary benefits to him.

Index : Yes/No
Internet : Yes/No
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(S.V.N.,J.) (C.S.N.,J.)
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