



Cont.P.(MD)No.737 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.07.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Cont.P.No.737 of 2022

1.M.Rajasekaran

2.I.Kandasamy

3.B.Sivakumar

4.M.Kannaiyan

5.V.Srinivasan

...Petitioners

Vs.

1.Mr.Rajesh B.Lakhoni, I.A.S.,
Chairman Cum Managing Director,
Tamil Nadu Generation and Distribution
Corporation Ltd.,
144, Anna Salai, Chennai – 600 002.

2.Mr.A.Manikkannan,
Secretary,
(In Charge) Chief Engineer / Personnel,
Tamil Nadu Generation and Distribution
Corporation Ltd.,
144, Anna Salai, Chennai – 600 002.

...Respondents



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PRAYER: Contempt Petition filed under Section 11 of Contempt of Courts Act to punish the respondents herein for their act of willful disobedience of order passed by this Court in W.P.No.15817 of 2019, dated 29.07.2021.

For Petitioners : Mr.P.Chandrasekar

For Respondents : Mr.K.Rajkumar,
Standing Counsel

ORDER

The petitioners herein have filed a Writ Petition in W.P.No.15817 of 2019, seeking to quash the proceedings of the respondents 1 and 2 herein and also seeking for a consequential direction to the respondents to include the name of the petitioners as 'Assistant Engineer (Electrical)'.

2. Through the order dated 29.07.2021, the Writ Petition came to be allowed with a direction to the respondents to include the name of all the petitioners in the promotional panel dated 29.05.2019, for the post of Assistant Engineer (Electrical). As per the order of the Writ Court, the respondents had complied with the final order dated 29.07.2021 and



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extended the benefit to the four petitioners herein, except the 5th petitioner. Hence, the Contempt Petition has been filed.

3. The matter was finally heard on 30.06.2023 and order came to be reserved. On the said day, the contemnor was also present before this Court. Pending passing of final orders in the contempt petition, the respondents had mentioned before this Court that they had complied with the order of the Writ Court and accordingly, the matter is listed today i.e., 14.07.2023, under the caption for “For Clarification”.

4. The learned Standing Counsel appearing for the respondents has filed an affidavit dated 12.07.2023, stating that the fifth petitioner herein has been selected to the post of Assistant Engineer (Electrical), through a memo No.035049/G.17/G.172/2019-6, dated 06.07.2023 and based on the selection of the fifth petitioner, he has been allotted to Dharmapuri EDC, through a memo dated 06.07.2023. He was also been given appointment as Assistant Engineer / Electrical and posted to Eriyur / O & M Section. It is stated that the fifth petitioner has also joined in the said post on the same day.



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5. In view of the compliance of the order passed in the Writ Petition, I am of the view that the disobedience alleged in this contempt petition cannot be termed to be willful in nature. Accordingly, the Contempt Petition stands closed. No costs.

14.07.2023

Index: Yes/No
Speaking/Non speaking order
NCC : Yes/No
vsm



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To

- 1.The Chairman Cum Managing Director,
Tamil Nadu Generation and Distribution
Corporation Ltd.,
144, Anna Salai, Chennai – 600 002.
- 2.Mr.A.Manikkannan,
Secretary,
(In Charge) Chief Engineer / Personnel,
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M.S.RAMESH.J.,

vsm

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