



Cont.P.No.2484 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.03.2023

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

Cont.P.No.2484 of 2022

R. Azhagesan

... Petitioner

Vs.

Thiru. Sunil Kumar Singh,
Additional Director General of Police &
Inspector General of Prisons,
Chennai – 600 008.

... Respondent

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, praying to punish the respondent under Contempt of Courts Act, for his willful disobedience of the order passed by this Court in W.P.No.20898 of 2013 dated 18.02.2022

For Petitioner : Mr.A. Amal Raj

For Respondent : Mr.P. Kumaresan,
Additional Advocate General,
assisted by
Mr.M. Shajahan,
Special Government Pleader



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ORDER

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In continuation of the earlier order of this Court dated 27.02.2023, Mr.Sunil Kumar Singh, Additional Director General of Police & Inspector General of Prisons, Chennai, is finally present before this Court today. His further appearance is dispensed with.

2. In the order of the Writ Court dated 18.02.2022 passed in WP.No.20898 of 2013, it is stated as follows:-

“8. In the light of the above observations, the impugned order passed by the first respondent dated 24.05.2013 is quashed. Consequently, there shall be a direction to the first respondent herein to pass appropriate orders granting notional promotion to the petitioner with effect from the date on which his immediate junior, namely I. Ramachandran, was promoted to the posts of Grade-I Warder, Chief Head Warder and Assistant Jailor, together with all the monetary benefits, including the pensionary benefits. Such an order shall be passed atleast within a period of two (2) weeks from the date of receipt of a copy of this order.”

3. The learned Additional Advocate General, drew attention of this Court to the proceedings of the Director General of Police/Director



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General of Prisons dated 28.02.2023, wherein, the petitioner has been granted notional promotion to the post of Chief Head Warder and his name has also been included in Serial No.39(A) in the approved list of Grade-I Warders fit for promotion as Chief Head Warder. The fact of the notional promotion granted to the petitioner has also been communicated to the Accountant General's Office on 28.02.2023.

4. In view of these proceedings of the respondent herein, this Court is of the view that the order of the Writ Court has been complied with and the disobedience alleged by the respondent herein, may not be termed to be wilful in nature.

5. Accordingly, the Contempt Petition stands closed. In case the petitioner is aggrieved against any of the proceedings of grant of notional promotion or the revision of the pensionary benefits, liberty is hereby granted to him to challenge the same, in accordance with law.

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Internet: Yes/No

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M.S.RAMESH, J.

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