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Contempt Petition No.2679 of 2022 And Review Application (Writ) No.51 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.07.2023

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

**Contempt Petition No.2679 of 2022
And
Review Application (Writ) No.51 of 2022**

Contempt Petition No.2679 of 2022:

Anandan

... Petitioner

Vs.

1.Mr.B.Sankar Ganesh,
The Executive Officer,
Town Panchayat Office,
Marandahalli Post,
Palakodu Taluk,
Dharmapuri District.

2.Mrs.Shanthi,
The District Collector,
Dharmapuri District.

... Respondents

Prayer :

Contempt petition filed under Section 11 of Contempt of Courts Act praying to punish the respondents who willfully disobeyed the order dated 02.02.2022 passed by this Hon'ble High Court in W.P.No.9006 of 2016.



Contempt Petition No.2679 of 2022 And Review Application (Writ) No.51 of 2022

For Petitioner : Mr.T.Karunakaran
For Respondents : Mrs.C.Sangamithirai for R1 and R2
Special Government Pleader

Review Application (Writ) No.51 of 2022:

G.Sakthivel

... Petitioner

Vs.

1.Anandan

2.The Executive Officer,
Town Panchayat Office,
Marandahalli Post,
Palakode Taluk,
Dharmapuri District.

3.M.C.Kalaivani

4.M.V.Govindan

5.The District Collector,
Dharmapuri District.

... Respondents

Prayer :

Review application filed under Order 47 Rule 17 and read with Section 114 of Civil Procedure Code praying to review the order passed in W.P.No.9006 of 2016 dated 02.02.2022.



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Contempt Petition No.2679 of 2022 And Review Application (Writ) No.51 of 2022

For Petitioner : Mr.D.Bharathy
For Respondents : Mr.T.Karunakaran for R1
Mrs.C.Sangamithirai for R2
Special Government Pleader

COMMON ORDER

Contempt petition has been filed alleging willful disobedience of the order dated 02.02.2022 made in W.P.No.9006 of 2016. Review application has been filed to review the order dated 02.02.2022 made in W.P.No.9006 of 2016.

2.The petitioner in W.P.No.9006 of 2016 had filed the writ petition on the ground that the actual date of birth of the fourth respondent therein is 14.07.1998 as per the school records and that he had furnished false information to the District Employment Office, by quoting his date of birth as 23.05.1997 and hence the fourth respondent therein was a minor on the date of selection and his appointment is irregular.

3.Accepting the said ground, this Court vide order dated 02.02.2022 issued direction to the first respondent therein to place the fourth respondent therein under suspension and consequently

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grant temporary appointment to the petitioner therein as a sanitary worker. Such a temporary appointment shall be subject to the decision to be taken in the enquiry against the fourth respondent therein.

4.Since the order of this Court dated 02.02.2022 was not complied with, contempt petition was filed by the petitioner in the writ petition and seeking to review the order of this Court dated 02.02.2022, the fourth respondent in the writ petition filed the review application. Since both the contempt petition and review application are interrelated, they are heard together and disposed of by way of common order.

5.Pursuant to the order of this Court dated 02.02.2022 made in W.P.No.9006 of 2016, the fourth respondent in the writ petition was placed under suspension and temporary appointment order was given to the petitioner in the writ petition.

6.When the matters were taken up for consideration by this Court on 27.01.2023, the learned Special Government Pleader as well



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as the learned counsel who appeared for the fourth respondent in the writ petition submitted that the certificates of the petitioner in the writ petition are also bogus. Hence, on 27.01.2023, this Court directed the official respondents to initiate action in accordance with law, after giving opportunity to the petitioner in the writ petition, if they are of the view that the certificates are bogus.

7.Pursuant to the order of this Court dated 27.01.2023, The Executive Officer of the Marandahalli Town Panchayat, vide proceedings signed on 02.05.2023 has stated that on enquiry the certificates produced by the petitioner in the writ petition were found to be bogus and hence, he is terminated from the temporary post of sanitary worker.

8.In view of the above proceedings, contempt petition is closed and review application stands disposed of. No costs.

28.07.2023

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Speaking Order/ Non Speaking Order
Index: Yes/No
Internet: Yes/ No

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Contempt Petition No.2679 of 2022 And Review Application (Writ) No.51 of 2022

M.DHANDAPANI,J.

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To

- 1.The Executive Officer,
Town Panchayat Office,
Marandahalli Post,
Palakode Taluk,
Dharmapuri District.
- 2.The District Collector,
Dharmapuri District.

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