



WEB COPY



Cont.P.No.88 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.04.2023

CORAM :

The HONOURABLE DR.JUSTICE ANITA SUMANTH

Cont.P.No.88 of 2023

Dr.P.Raja

.. Petitioner

VS

R.Chandrasekaran
Director,
Central Institute of Classical Tamil,
IRT Campus, 100 Ft.Road,
Taramani, Chennai -113.

.. Respondent

Petition filed under Section 11 of the Contempt of Courts Act to punish the respondent for wilful disobedience of the order passed in W.P.No.12785 of 2015 on 09.11.2021.

For Petitioner : Mr.T.Sundaravadanam

ORDER

The State has filed writ appeals being W.A.Nos.497,434,467 & 514 of 2022 and on 10.01.2023, the Division Bench has been pleased to pass the following order:

"Mr.AR.L.Sundaresan, learned Additional Solicitor General appearing for the appellants submitted that the 1st respondent(s) were contractual employees, governed by specific terms and conditions, which do not give them any



WEB COPY



Cont.P.No.88 of 2023

automatic right for continuance on contract or for regularisation and their services were not extended beyond 31.03.2015. Further, the conditions of contractual appointment, more specifically clause 5(b) and (d), which states about satisfactory performance and the requirement of the institute, are necessary preconditions for continuance of contract. However, the learned Judge erred in directing the appellants to reinstate the first respondent(s) in service and regularise the same from the dates of their respective initial appointment. It is also submitted that the first respondent(s) did not co-operate with the enquiry officer for proper conduct of the enquiry proceedings.

2.On the other hand, Mr.N.G.R.Prasad, learned counsel appearing for the first respondent(s) submitted that the respondents were appointed through transparent procedure. The learned counsel further submitted that the appointment of the first respondent(s) was not terminated and their employment has been extended from time to time and hence, they are entitled to be reinstated and for regularisation of service from the date of their respective initial appointment.

3.Considering the submissions made by the learned counsel on either side and taking note of the nature of the issue involved herein, this Court deems it appropriate to take up the appeals themselves for final hearing. Accordingly, all the matters are directed to be posted on 13.02.2023 for final hearing. In the mean time, as an interim measure, the appellants are directed to pay the last drawn wages to the first respondent(s) from the month of December 2022 and the same shall be payable on or before 15.01.2023."

2. The appellants have been directed to pay last drawn wages to the respondents (three writ petitioners) from the month of



Cont.P.No.88 of 2023

December, 2022 payable on or before 15.01.2023 and Mr.T.Sundaravadanam, learned counsel, who appears for the contempt petitioners confirms receipt of the amounts.

3. In light of the fact that the Division Bench is seized of the appeals, learned counsel for the petitioner, rightly states that this contempt petition is not pursued. Hence, this contempt petition is closed as not pressed.

06.04.2023

Index:Yes/No
Neutral Citation:Yes/No
ssm



WEB COPY



Cont.P.No.88 of 2023

DR. ANITA SUMANTH,J.

ssm

Cont.P.No. 88 of 2023

06.04.2023