



CONT P(MD)No.700 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.04.2023

CORAM

THE HONOURABLE MRS.JUSTICE **S.SRIMATHY**

CONT P(MD)No.700 of 2023

1.S.S.Rahmathullah

2.R.Kandappan

... Petitioners

vs.

K.P.Karthikeyan, I.A.S.,
District Collector,
Tirunelveli District,
Tirunelveli 627 009.

... Contemnor/Respondent

PRAYER: Petition filed under under Section 11 of the Contempt of Court Act, 1971, to punish the respondent for wilfully disobeying and not complying with the order of this Court, dated 24.03.2023, in W.P.(MD)No.6511 of 2023.

For Petitioners	: Mr.Ajmal Khan Senior Counsel for M/s.Ajmal Associates
For Respondent	: Mr.S.R.A.Ramachandran Additional Government Pleader



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ORDER

This Contempt Petition is filed alleging non-compliance of the order dated 24.03.2023 passed in the Writ Petition W.P.(MD)No.6511 of 2023.

2. The contention of the petitioners is that they were granted promotion in the year 2004. The Honourable Supreme Court has directed to revise the seniority list from the year 2009 only. In such circumstances, the petitioners who were promoted in the year 2004 cannot be directed to hold a lower post by granting revision order. For this reason, this Court granted interim direction to keep in the impugned order in abeyance.

3. However, the contention of the respondent is that the interim order was granted on 24.03.2023, but the impugned order was already passed on 21.03.2023 and served on 23.03.2023, hence the order could not be complied with. After taking into this fact also, this Court has granted an interim direction in the writ petition to keep the impugned order in abeyance.



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4. Hence the contention of the respondents cannot be entertained. Again, this Court is directing the respondent to keep the impugned order in the writ petition in abeyance. The respondent needed not precipitate the issue. The respondent is directed to allow the petitioners to continue in the promoted post until the disposal of the writ petition. The parties are directed to contest the issues in the main writ petition.

5. With the above said observation, the contempt petition is closed. No costs.

Index : Yes / No
Internet : Yes

13.04.2023

Tmg

To

District Collector,
Tirunelveli District,
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S.SRIMATHY, J

Tmg

Order made in
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