



CONT.P(MD)No.1260 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

CONT.P(MD)No.1260 of 2021

in

W.P(MD) No.3798 of 2016

S.Rajesh Ayyanar Murugan

..Petitioner

Vs.

Shiv Das Meena

The Secretary to Government

Municipal Administration & Water

Supply (TP.4) Department,

Government of Tamil Nadu,

Fort St. George,

Chennai – 600 009.

..Respondent

Prayer : Contempt Petition is filed under Section 11 of the
Contempt of Courts Act, 1971, to take severe action against the



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respondent herein for his willful and wanton disobedience of the order passed by this court in the above W.P.(MD) No.3798 of 2016 dated 28.02.2020.

For Petitioner : Mr. S. Sivakumar

For Respondent : Mr.P.Thilak Kumar

ORDER

This Contempt Petition has been filed complaining the willful disobedience of the order dated dated 28.02.2020 in W.P. (MD) No.3798 of 2016 in true letter and spirit.

2. A Counter-affidavit has been filed on behalf of the respondent.

3. This Court while allowing the said Writ Petition, the order impugned therein was set aside and gave a finding that the



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petitioner is entitled for 25% of the back-wages for the non-working period and also entitled for other attendant benefits as per the Rules.

On 30.09.2021 the respondent passed an order to reinstate the petitioner into service and posted him as Junior Assistant, at Uthamapalaym Town Panchayat Office.

4. During the course of hearing today, the learned counsel appearing for the petitioner submits that the respondent paid the back wages for which the petitioner is entitled and also issued proceedings dated 03.10.2023 promoting the petitioner as Executive Officer (Grade – II) at Marungoor Town Panchayat, Kanniyakumari District. The petitioner also joined duty as Executive Officer (Grade – II) on 11.10.2023.

5. In the compliance affidavit filed by the respondent also the same facts are stated.



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6. In view of the above factual position, as the order of the Court is fully complied with on 03.10.2023, though there is a delay in complying the order in true letter and spirit and considering the facts and circumstances of the case, this Court intends to take some lenient view towards the respondent.

7. In view of the fact that the order of the Court is complied with, this Contempt Petition is closed.

20.11.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No

RM



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The Secretary to Government
Municipal Administration & Water
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BATTU DEVANAND, J.

RM

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