



Cont.P.(MD).No.1945 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.02.2023

CORAM

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

Cont.P.(MD).No.1945 of 2022

In

W.P.(MD).No.1565 of 2016

R.Kannan

... Petitioner/Petitioner

Vs.

1.Thiru.C.Sylendra Babu, I.P.S.,
Director General of Police,
Mylapore, Chennai – 600 004.

2.Thiru.T.Senthilkumar, I.P.S.,
The Commissioner of Police,
Madurai City,
Madurai – 1.

3.Tmt.G.Vanitha, I.P.S.,
The Deputy Commissioner of Police,
Madurai City,
Madurai.

... Contemnors/Respondents

PRAYER: Petition filed under under Section 11 of the Contempt of Court Act, 1971, to punish the contemnors for wilfully disobeying and not complying with the order of this Court, dated 20.12.2021, in W.P.(MD).No.1565 of 2016.



Cont.P.(MD).No.1945 of 2022

WEB COPY

For Petitioner : Mr.A.Thirumurthy

For Respondents : Mr.N.Muthu Vijayan,
Special Government Pleader.

ORDER

Alleging wilful disobedience of the order passed by this Court in W.P.(MD).No.1565 of 2016 dated 20.12.2021, this Contempt Petition is filed.

2. This Court vide order dated 20.12.2021 in W.P.(MD).No.1565 of 2016 directed the respondents to consider the claim of the petitioner, since the disciplinary proceedings was initiated under Rule 3(b). However, minor punishment was imposed on the petitioner. Therefore, this Court directed the respondents to consider the case of the petitioner in the light of G.O.Ms.No.559 Home (Police VI) Department, dated 07.12.2021. However, the respondents have passed an order dated 25.01.2023 stating since the disciplinary proceedings initiated under Rule 3(b), the G.O.Ms.No.559 dated 07.12.2021 is not applicable to the petitioner. Therefore, this Court is convinced that there is no contempt. The petitioner is at liberty to challenge the order passed by the respondents dated 25.01.2023.



Cont.P.(MD).No.1945 of 2022

WEB COPY

3. The learned counsel appearing for the petitioner further submitted that the minor punishment imposed on the petitioner is already over. Therefore, the case of the petitioner is to be considered for promotion.

4. After hearing on both the sides, this Court directs the petitioner to submit a fresh representation to the respondents to consider him for promotion. The respondents shall consider and pass orders on such representation.

5. With the above liberty, this Contempt Petition is closed.

03.02.2023

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

To

<https://www.mhc.tn.gov.in/judis>



Cont.P.(MD).No.1945 of 2022

WEB COPY

- 1.The Director General of Police,
Mylapore, Chennai – 600 004.
- 2.The Commissioner of Police,
Madurai City,
Madurai – 1.
- 3.The Deputy Commissioner of Police,
Madurai City,
Madurai.



WEB COPY



Cont.P.(MD).No.1945 of 2022

Nsr

Order made in
Cont.P.(MD).No.1945 of 2022

03.02.2023