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Cont.P. No. 393 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2024

CORAM

THE HONOURABLE MR. JUSTICE MUMMINENI SUDHEER KUMAR

Cont.P. No.393 of 2024

R.Ramesh

.. Petitioner

Vs.

S.Sivarasu, I.A.S

The Director of Municipal Administration,
Chepauk,
Chennai.

.. Respondent

Prayer: Contempt petition filed under Section 11 of Contempt of Court Act, 1971, to punish the respondent for having committed contempt of Court by disobeying the order of this Hon'ble Court dated 09.09.2019 passed in W.P.No.3143 of 2010.

For Petitioner : Mr.R.Sagadevan

For Respondent : Mr.J.Ravindran
Additional Advocate General
assisted by Mr.Premkumar
Government Advocate.

ORDER

This contempt petition has been filed alleging violation of the order dated 09.09.2019 passed in W.P.No.3143 of 2010. By the said order, this



Court passed the following order:

“This contempt petition has been filed alleging violation of the order dated 09.09.2019 passed in W.P.No.3143 of 2010. Whereby, this Court, while setting aside the impugned order passed by the respondent herein, further directed the respondent to consider the case of the petitioner as if name of the petitioner has been recommended and that the petitioner has satisfied the other conditions mentioned in G.O.Ms.No.73 dated 20.05.2009 and he is eligible for being appointed as Work Inspector in the light of G.O.Ms.No.73 dated 20.05.2009. The operative portion of the said order reads as under:

“7. In view of the above, the impugned order passed by the second respondent, therefore, has to be set aside. The second respondent is now directed to consider as if the petitioner's name has been recommended and that the petitioner has satisfied the other conditions mentioned in G.O.Ms.No.73 dated 20.05.2009 and he is eligible for being appointed as Work Inspector in the light of G.O.Ms.No.73. It is needless to mention that if the petitioner is found to be eligible, he has to be give appointment from the date, the persons similarly situated like the petitioner has been appointed as Work Inspector.”

Inspite of the above order, the order dated 09.09.2019 has



not been implemented by the respondent.

2. *In the circumstances, this Court is left with no other option except to issue statutory notice against the respondent. Hence, issue statutory notice against the respondent. The respondent/contemnor shall remain present in person before this Court on 22.11.2024. Counter if any, the respondent intends to file, the same shall also be filed by that date. It is made clear that the contempt petition will be heard and disposed of finally on the said date.*

3. *Registry is directed to print the name of Mr.M.S.Prem Kumar for the respondent in the cause list and list the contempt petition on 22.11.2024.”*

2. Today, in response to the statutory notice issued by this Court, the respondent appeared in person before this Court. Mr.J.Ravindran, learned Additional Advocate General appearing online, submitted that the respondent has already complied with the order passed by this Court and issued proceedings Na.Ka.No.602/2019/C1 dated 13.11.2024, and a copy of the same is also place before this Court.

3. The learned counsel for the petitioner also submitted that the



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petitioner has already joined duty in terms of the proceedings dated 13.11.2024, and further submitted that the respondent had to give effect to the said appointment and place him at appropriate place along with similarly situated persons in terms of the order passed by this Court.

4. Mr.J.Ravindran, learned Additional Advocate General fairly submitted that the respondent will do that shortly.

5. In the light of the submissions, this Court is of the considered view that the respondent would take appropriate steps to place the petitioner at appropriate place on par with similarly situated persons. The said exercise shall also be completed by the respondent within a period of six (6) weeks from today.

6. Accordingly, this contempt petition is closed.

22.11.2024

Index : Yes / No
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MUMMINENI SUDHEER KUMAR ,J.

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