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Sub Applications(OS).No.507 of 2024
in Cont.P.No.1654 of 2024

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J.SATHYA NARAYANA PRASAD, J.

Both sides present.

2. Learned counsel for the petitioner submitted that the notification was issued by the Director of Municipal Administration on 02.02.2024 for filling up the existing vacancies of Assistant Engineer. Now by relying upon the subsequent development/event the respondent sent a communication and directed the petitioner to make an application based on the notification dated 02.02.2024 and to work out the opportunity.

3. Learned counsel further submitted that since this court specifically directed the respondent to consider his candidature for the post of AE under SC Category of the selection conducted during the year of 2018. The respondent has not preferred any writ appeal against the order passed by this Court in W.P.No.6833 of 2022 dated 29.09.2023. Hence, the respondent is bound to comply with the orders passed by this Court. Hence, the respondent has no other option except to comply with the order passed by this Court. He further submitted it is a clear and blatant violation of the order passed by this



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Court it amounts to not only violation of principles of natural justice and it amounts to disobeying the court order and thereby the respondent is liable to be prosecuted for contempt of court. No writ appeal has been filed as on date.

4. The above petition has been filed to direct the respondent to keep one post as vacant till the disposal of the contempt petition.

5. Mr.Haja Nazirudeen, learned Additional Advocate General assisted by M/s.N.Devi, learned standing counsel appearing for the respondent / Salem City Municipal Corporation, submitted that in the affidavit, the petitioner made some allegations against the selection committee and he has instructed the Corporation Authorities to produce the file in order to peruse the same.

6. Learned Additional Advocate General on instructions from the learned Standing Counsel appearing for the respondent / Salem City Municipal Corporation further submitted that in view of the order passed by this Court in **W.P.No.6833 of 2020 dated 29.09.2023**, the respondent may



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be directed to keep one post vacant under Scheduled Caste category and requested three weeks for filing counter affidavit.

7. In view of the above submission made by the learned Additional Advocate General, **the respondent / Commissioner, Salem City Municipal Corporation, is directed to keep one post vacant for appointment to the post of Assistant Engineer under Scheduled Caste category.**

8. In the result, the **sub application is ordered as prayed for.**

9. Post the contempt petition on **19.07.2024.**

28.06.2024

cda

NOTE: Issue order copy by 28.06.2024

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