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Contempt Petition No.2397 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2024

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Contempt Petition No.2397 of 2024

1. Lalu Naik Kethavathu

2. Palanivel. K

... Petitioners

Vs

1. Sanjeev Chopra,
The Secretary,
Government of India,
Rep. Food Corporation of India,
Ministry for Consumer Affairs, Food & Public Distribution,
Department of Food and Public Distribution,
Krishi Bhavan, New Delhi – 110001.

2. Ashok K.K.Meena,
The Chairman and Managing Director,
Food Corporation of India,
Headquarters, No. 16-20,
Bhagarkambha Lane, New Delhi – 110 001.

3. Akhilesh Mishra,
The Executive Director (Personnel),
Food Corporation of India,
Headquarters, No. 16-20,
Bhagarkambha Lane, New Delhi – 110 001.



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4. Jacintha Lazarus,

The Executive Director (South),
Food Corporation of India,
Zonal Office (South), No. 3,
Haddows Road, Chennai – 600 006.

5. Devinder Singh,

The Deputy General Manager (Personnel),
Food Corporation of India,
Zonal Office (South), No. 3,
Haddows Road, Chennai – 600 006.

6. M.M.Borhade,

The Assistant General Manager (Personnel),
Food Corporation of India,
Zonal Office (South), No. 3,
Haddows Road, Chennai – 600 006.

... Respondents

Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, praying to punish the respondents herein for the deliberate disobedience of the order of this Court in W.P. No. 9050 of 2022 dated 22.01.2024.

For Petitioners : Mrs. Dakshayani,
Senior Counsel
for Ms. S.Suneetha

For Respondents : Mr. AR.L.Sundaresan,
Additional Solicitor General of India
assisted by Mrs. S.R.Sumathi,
Central Government Standing Counsel



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ORDER

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This Contempt Petition has been filed to punish the respondents for non-compliance with the order passed by this Court in W.P. No. 9050 of 2022, dated 22.01.2024. The said order had quashed the impugned order dated 13.01.2022 and directed the respondents to place the petitioners above their juniors, respondents 7 to 22, in accordance with their original promotion to the posts of Assistant Grade-II and Grade-I (Technical), and to restore their seniority below the petitioners.

2. Heard the learned counsel for both sides and perused the materials available on record.

3. According to the learned Additional Solicitor General of India, as directed by this Court, the petitioners were placed above their juniors, and a provisional seniority list will be published in due course. However, as against the order passed by this Court, the respondents herein have filed a Writ Appeal in W.A. No. 2723 of 2024. The Hon'ble Division Bench of this Court held, by order dated 09.09.2024, that the grounds in the Writ Appeal



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will be decided only at the time of hearing the Writ Appeal. Meanwhile, if any promotion is made, the same shall be subject to the outcome of the Writ Appeal.

4. Insofar as the order passed by this Court has been duly complied with by the respondents, placing the petitioners above their juniors, and a provisional seniority list will be issued. Insofar as promotion is concerned, there was no direction issued by this Court. However, the Hon'ble Division Bench of this Court passed an interim order that if any promotion is made, the same shall be subject to the outcome of the Writ Appeal.

5. In view of the above, the Contempt Petition is dismissed. Consequently, the connected Sub Application (OS) is closed. No costs.

18.09.2024

Index:Yes/No
Neutral Citation/Yes/No
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G.K.ILANTHIRAIYAN, J.

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