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Cont.P.No.2352 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2024

CORAM

THE HONOURABLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

Cont.P.No.2352 of 2024

The President,
Perunthalaivar Kamarajar
Velan Ariviyal Nilaya,
Thozhilalar Sangam,
Puducherry – 605 009. Petitioner

Vs

Vijayakumar,
Principal cum Programme Coordinator,
Perunthalaivar Kamaraj Krishi Vigyan Kendra,
Mohan Andre Savery,
Kurumbapet,
Puducherry – 605 009. Respondent

Prayer:- Contempt petition has been filed under Section 11 of the Contempt of Courts Act, 1971, praying to punish the respondent for willfully disobeying the orders of this Court in W.P.No.22729 of 2014 dated 13.07.2023.

For Petitioner : Mr.P.Rajendran

For Respondent : Mr.R.Syed Mustafa
Special Government Pleader



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ORDER

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This Contempt Petition has been filed as against the order passed by this Court in W.P.No.22729 of 2014 dated 13.07.2023, thereby recorded the submission made by the learned counsel for the petitioner and closed the writ petition.

2. The respondent filed a writ petition in W.P.No.22729 of 2014 as against the award dated 30.05.2013 passed by the Labour Court, Puducherry in I.D.No.32 of 2011. Pending writ petition, the respondent submitted before this Court that they have come forward to regularise the petitioner's labourers, except the persons who were already left and the remaining employees as per the Schedule I and II under the scheme. Further, the date of appointment either as seasonal labourer or daily rated labourer stated by the members of the second respondent association were duly assessed by due process of established administrative procedures and the tentative seniority list was published, vide proceedings dated 08.10.2021, with approval of the Government. Accordingly, they were ratified and regularized as per the guidelines issued by the amended G.O.Ms.No.44, dated 30.04.2012 effecting to absorb full time casual labourers in the ratio of 75 : 25 in all Group C



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posts.

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3. A perusal of the report submitted by the respondent reveals that they had submitted a proposal dated 20.06.2023 seeking financial concurrence for continuation of the posts sanctioned under Farm Management Scheme of Krishi Vigyan Kendra Scheme for the Group “C” post of Mazdoors – 97 posts, Demonstration Assistant – 21 posts, Fieldman – 10 posts. However, most of the members of the petitioner did not possess the minimum educational qualification as prescribed in the G.O.No.44, dated 30.04.2012. The draft recruitment of the society for the post of Mazdoor is framed as per the instructions of the Government in G.O.No.44, dated 30.04.2012, i.e., 75 : 25 (75% of vacant posts will be filled through absorption from FTCLRs and 25% through direct recruitment). Accordingly, the Chief Secretariat (Agriculture), Puducherry, had sent a communication dated 15.02.2024 to the Department of Agriculture and Farmers Welfare, the Administrative Department to furnish the particulars as stated supra for absorption or regularisation of the Full Time Casual Labourers engaged on or before 27.02.2009.

4. In view of the above, no contempt is made out as against



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the respondent. Hence, this Contempt Petition is dismissed.

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Internet: Yes
Index: Yes/No
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G.K.ILANTHIRAIYAN, J.

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