



CONT.P(MD)No.916 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2025

CORAM

THE HONOURABLE MR.JUSTICE SHAMIM AHMED

CONT.P(MD)No.916 of 2025

A.Kiruthika

... Petitioner

vs.

M.Aruna, I.A.S.,
District Collector,
Collectorate, Pudukottai District.

... Respondent

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Court to punish the contemnor/respondent in W.P.(MD)No.25648 of 2022 for wilful disobedience of order, dated 21.06.2024.

For Petitioner	:Mr.R.Pranjothi for M/s.KBS Law Office
For Respondent	:Mr.D.Sadiq Raja Additional Government Pleader

ORDER

This is a petition seeking initiation of contempt proceedings against the respondent for violation of the order, dated 21.06.2024 passed by this Court in W.P.(MD)No. 25648 of 2022.

2.Heard Mr.R.Paranjothi, learned Counsel for the petitioner and Mr.D.Sadiq Raja, learned Additional Government Pleader for the Respondent.



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3.The petitioner had filed a Writ Petition bearing W.P.(MD)No.25648 of 2022 before this Court with a prayer to direct the first respondent in the Writ Petition to give suitable employment on compassionate ground and to direct the second respondent in the Writ Petition to issue an integrated certificate as requested by the first respondent. This Hon'ble Court vide judgment and order, dated 21.06.2024, dispose of the said Writ Petition by observing as follows:

“Heard Mr.R.Paranjothil, learned counsel for the petitioner and Mr.J.Ashok, learned Government Advocate for the respondents.

2. This Writ Petition has been filed for issuance of Writ of Mandamus seeking direction against the first respondent to give suitable employment on compassionate ground and to direct the second respondent to issue a integrated certificate as requested by the first respondent for compassionate appointment.

3. Mr.R.Paranjothil, learned counsel for the petitioner submitted that the petitioner's mother who was employed as Junior Assistant in the Revenue Department was permitted to retire on medical invalidation. The petitioner is the eldest daughter and her sister namely Aarthi got married a person of her choice and she was selected as Junior Assistant through TNPSC. She is living separately along with her husband without providing any monetary assistance to the family. Under such circumstances, the petitioner's mother submitted an application seeking compassionate appointment for the petitioner and the same was returned for certain defects and also directed the petitioner to produce the necessary documents including Integrated Certificate from the jurisdictional Tahsildar along with the application. In pursuance thereof, when the petitioner approached the second respondent with the application, the same was rejected vide order dated 07.10.2021 on the ground that the petitioner's sister was already employed in the Government Department. The petitioner's mother submitted another application dated 02.11.2020 reiterating the family circumstances and requested to consider the application. Since no action was taken, the petitioner approached this Court by way of filing this Writ Petition.

4. The learned counsel for the petitioner submitted that the



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respondents without considering the guidelines of G.O.Ms.No.18, Labour and Employment Department dated 23.01.2020 for issuing Integrated Certificate, has rejected the petitioner's application.

5. The Government Order in G.O.Ms.No.18 Labour and Employment Department dated 23.01.2020 was issued by laying certain guidelines for compassionate appointment. The guidelines of the above Government Order would state that if any one of the family members is in the Government Department, even before the death / retirement/ voluntary retirement on medical validation of the Government employee, and was living separately without extending any help for the family, then the case of other eligible dependants can be considered. The petitioner claims that her sister has already got married and her employment is nothing to do with the petitioner's family which is suffering in penury due to retirement on medical invalidation of her mother.

6. In view of the above facts and circumstances of the case, this writ petition is disposed of and the respondents are directed to make a comprehensive enquiry and directed to issue Integrated Certificate by considering the ground realities as to the economical fitness of the person concerned for getting appointment as claimed. The said exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order. No costs."

4.The learned Counsel for the petitioner submits that despite the judgment and order passed by the this Court dated 21.06.2024 passed in W.P.(MD)No.25648 of 2022, the respondent had not complied with the directions of this Court and had wilfully and deliberately flouting the order passed by this Court and thus, the respondent had committed the contempt of Court and she should be summoned and punished by this Court by exercising the power under Sections 11 and 12 of the Contempt of Court Act.

5.Mr.D.Sadiq Raja, learned Additional Government Pleader, submits that the judgment and order passed by the Writ Court, dated 21.06.2024 passed in W.P.(MD)No.25648 of 2022 has been complied with and this fact



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has been stated by the petitioner himself in paragraph No.3 of the affidavit,

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“3.I submit that, in pursuance of the order of this Hon’ble High Court in the aforesaid writ petition in W.P.(MD)no.25648 of 2022 by its order dated 21.06.2024, the Tahsildar, Pudukottai 2nd Respondent in the writ petition conducted the enquiry issued an integrated certificate to me by his proceedings dated 25.09.2024 in Mu.Mu.No.A6/69/2021.”

6.Thus, Mr.D.Sadiq Raja, learned Additional Government Pleader, submits that the judgment and order passed by the Writ Court, dated 21.06.2024, passed in W.P.(MD)No.25648 of 2022 has been fully complied with and after due enquiry, the petitioner was issued with an integrated certificate and that he may apply for future employment in accordance with law and as per rules and there is no any such direction by the Writ Court to give employment to the petitioner. Thus, he submits that the present Contempt Petition is fully misconceived and liable to be dismissed.

6.After considering the arguments as advanced by the learned Counsels for the parties and after perusal of the judgment and order passed by the Writ Court, dated 21.06.2024 passed in W.P.(MD)No.25648 of 2022 and the averments made in the affidavit filed in support of this Contempt Petition, it is crystal clear that the judgment and order passed by the Writ Court has been complied with and this fact has been confirmed by the



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petitioner himself in paragraph No.3 of the affidavit and after conducting enquiry, the petitioner was issued with an integrated certificate and there is no specific direction by the Writ Court to the respondent to give employment to the petitioner. If the petitioner is eligible, he may apply before the competent authority for getting employment in accordance with law and rules. Thus, no contempt has been made out, as stated by the petitioner. Hence, this Contempt Petition is totally misconceived and accordingly, the present Contempt Petition is dismissed. The file is consigned to record. No order as to costs.

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

25.04.2025

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To

The District Collector,
Collectorate, Pudukottai District.



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SHAMIM AHMED, J.

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