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W.P.Nos.2621, 9953, 14002 and 15566 of 20__



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.06.2025

CORAM

THE HON'BLE MR. JUSTICE BATTU DEVANAND

W.P.Nos.2621, 9953, 14002 and 15566 of 2020

W.P.No.2621 of 2020:

V.Nithya

.. Petitioner

Vs.

1.Tamilnadu State Transport
Corporation (Coimbatore) Ltd.,
Rep., by its Managing Director,
37, Mettupalayam Road,
Coimbatore-43.

2.The General Manager,
Tamilnadu State Transport
Corporation (Coimbatore) Ltd.,
37, Mettupalayam Road,
Coimbatore-43.

3.The State of Tamil Nadu,
Rep., by its Chief Secretary to Government,
Secretariat, Chennai-600 009.

.. Respondents

**[R3 - suo motu impleaded vide order
dated 22.06.2023 made in W.P.No.2621 of 2020]**



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W.P.Nos.2621, 9953, 14002 and 15566 of 20__

For Petitioner : Mr.V.Ajoy Khose
For RR1 & 2 : Mr.A.Sundaravadanam
Standing Counsel
For R3 : Mr.P.Kumaresan, AAG and
Mr.A.Edwin Prabakar, G.P.
assisted by D.Ravichander, SGP

W.P.No.9953 of 2020:

V.Karthikeyan

.. Petitioner

Vs.

1.The Managing Director,
Tamilnadu State Transport
Corporation (Salem Division),
No.12, Ramakrishna Salai,
Salem District-636 007.

2.The Section In-Charge (Labour),
Tamilnadu State Transport
Corporation (Salem Division),
No.12, Ramakrishna Salai,
Salem District-636 007.

.. Respondents

For Petitioner : Mr.N.Vijaya Basker



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W.P.Nos.2621, 9953, 14002 and 15566 of 20__



For Respondents : Mr.P.Kumaresan, AAG and
Mr.A.Edwin Prabakar, G.P.
assisted by D.Ravichander, SGP

W.P.No.14002 of 2020:

A.Ajith Kumar .. Petitioner

Vs.

The Secretary,
Department of Adi Dravidar and Tribal Welfare,
Secretariat, Chennai. .. Respondents

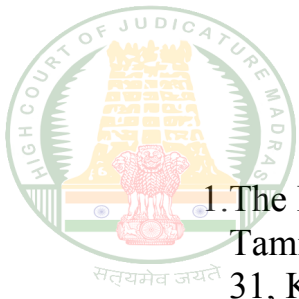
For Petitioner : Mr.B.M.Subash

For Respondents : Mr.P.Kumaresan, AAG and
Mr.A.Edwin Prabakar, G.P.
assisted by D.Ravichander, SGP

W.P.No.15566 of 2020:

G.Anbarasan .. Petitioner

Vs.



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1.The Managing Director,
Tamil Nadu Water Supply and Drainage Board,
31, Kamarajar Salai,
Chepauk, Chennai~600 005.

2.The Executive Engineer,
Tamil Nadu Water Supply and
Drainage Board,
Rural Water Supply Division,
NRT Nagar, Theni.

.. Respondents

For Petitioner : Mr.G.P.Arivuchudar
for Law Square

For R1 : Mr.P.Kumaresan, AAG and
Mr.A.Edwin Prabakar, G.P.
assisted by Ms.Mekhala
Standing Counsel

Respondent~2 : Served

COMMON ORDER

While hearing a Writ Petition yesterday (05.06.2025) pertaining to the compassionate appointment, it came to the notice of this Court that the order passed by this Court on 19.09.2023 in WP.No.2621 of 2020 and batch has not been complied with. Accordingly, this Court directed the Registry to list those 4 cases before this Court today.



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2. While allowing these Writ Petitions, this Court has considered various Government Orders that have been issued by the State Government to implement the scheme of compassionate appointment from the year 1972 to 2023 and after considering the Tamil Nadu Civil Service (Appointment on Compassionate Grounds) Rules, 2023 which were notified in G.O.Ms.No.33, Labour Welfare and Skill Development (Q1) Department, dated 08.03.2023 in exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and this Court noticed several infirmities in the said Rules while extending the benefit of compassionate appointment scheme to the legal heirs of the deceased employee working in the State Government and its instrumentalities.

3. Accordingly, this Court directed the Chief Secretary of the Tamil Nadu Government, who is the third respondent in W.P.No.2621 of 2020, to constitute a Committee to look into the issue to make necessary recommendations to amend the Tamil Nadu Civil Service (Appointment on Compassionate Grounds) Rules, 2023 to fix time frame to provide compassionate appointment to the legal heirs of the deceased employees and to consider the suggestion for feasibility to maintain State-wise list of



the dependants for compassionate appointment and to take steps to obtain report from the Committee within two months. This Court also directed the third respondent that the action taken report be placed before this Court within three months for consideration.

4. However, on perusal of records by this Court, it is established that no such report has been filed before this Court within the time as directed by this Court.

5. Heard both sides and perused the materials available on records.

6. The learned counsel appearing for the Chief Secretary would submit that they took some steps in this regard and he made an attempt to persuade the Court that the order of this Court is complied with by the third respondent. But this Court is not inclined to accept the same in view of the facts of the issue.

7. Admittedly, as directed by this Court, the third respondent did not constitute a Committee to look into the issue in proper perspective taking

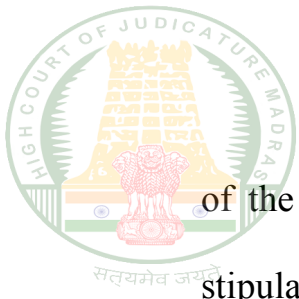


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into consideration of the observations and findings made in the order dated 19.09.2023. After considering all these facts, this Court is of the prima facie opinion that the third respondent i.e., the Chief Secretary of the Government of Tamil Nadu failed to comply the order of this Court in true letter and spirit.

8. This Court is expressing its deep anguish and displeasure towards the attitude of the third respondent in disrespecting the Court orders and executing them in true letter and spirit. As and when the third respondent, who is being the Head of the executive of the State, is not implementing the Court order and taking it in a lighter way, this Court cannot expect that his subordinate officers working in the State Government would implement the Court orders in true letter and spirit.

9. On several occasions this Court noticed that only after filing of contempt cases and after issuing statutory notice for appearance of the officers only, the State Government officers are choosing to file Writ Appeals with delay condonation petitions. After dismissal of the Writ Appeals also, they are filing SLP with delay. No doubt, it is the right



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of the respondents to file appeals. But it has to be filed within the time stipulated for limitation of filing of appeals. This Court can understand that the appeals could be filed with delay petitions in one or two occasions. But it has become the habit of the State Government Officers to file appeals with delay as and when contempt cases are filed and statutory notices were issued by the Court. This practice is not acceptable to the Court.

10. The present issue is a classic example of lethargic attitude of the several bureaucrats. It appears that they have no concern towards the common man and poor litigants, who are approaching the Court for justice. Even after passing orders by this Court, the poor litigant public are not in a position to enjoy the fruits of the justice. To send a clear message to the bureaucrats, who are not implementing the Court orders and acting with brazenness, this Court intends to initiate *suo motu* contempt proceedings against the third respondent in W.P.No.2621 of 2020.

11. Accordingly, the Registrar (Judicial), High Court, Madras is directed to get the particulars of all officers, who worked as Chief Secretary of the Government of Tamil Nadu with effect from 19.09.2023 to till date



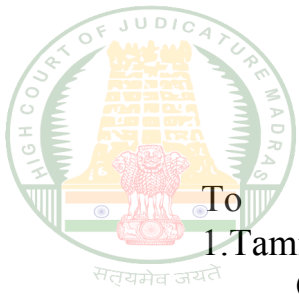
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and register a contempt case against them under the provisions of Contempt of Courts Act 1971 read with Article 215 of the Constitution of India and issue notice to them to enable them to submit their response by next date of hearing.

12. Post on 20.06.2025.

06.06.2025

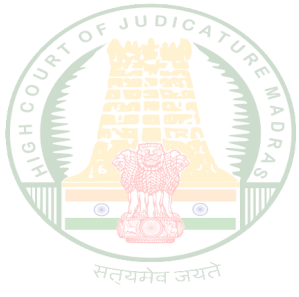
pvs



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To

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Rep., by its Managing Director,
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5. The Section In-Charge (Labour),
Tamilnadu State Transport Corporation (Salem Division),
No.12, Ramakrishna Salai,
Salem District-636 007.
6. The Secretary,
Department of Adi Dravidar and Tribal Welfare,
Secretariat, Chennai.
7. The Managing Director,
Tamil Nadu Water Supply and Drainage Board,
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BATTU DEVANAND.J.,
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