

Cont.P.(MD)No.1752 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.07.2026

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THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Cont.P.(MD)No.1752 of 2026

V.Thangapandi

...Petitioner

VS.

1.Dr.Atul Anand,
The State of Tamil Nadu,
Rep. by its Additional Chief Secretary
to the Government,
Micro Small and Medium Enterprises Department,
Secretariat, Chennai.

2.Nirmal Raj,
The Industries Commissioner and
Director of Industries and Commerce,
SIDCO Corporate Office Building,
Guindy, Chennai - 600 003.

...Contemnors

Prayer: Contempt Petition filed under Section 11 of the Contempt of Courts Act praying to punish the contemnors / respondents for the deliberate and wilful disobedience of the order dated 26.02.2026 passed by this Court in W.P.(MD)No.5369 of 2026.

For Petitioner : Mr.H.Mohammed Imran
M/s.Ajmal Associates

For Respondents : Mr.S.Sivasubramanian,
Government Advocate



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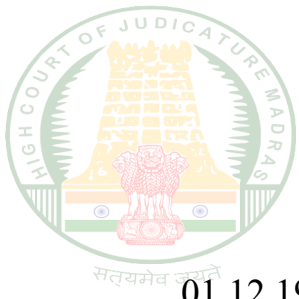
ORDER

The petitioner, who is facing disciplinary proceedings pursuant to the Charge Memo dated 31.05.2023, has filed a Writ Petition before this Court seeking a Writ of Mandamus directing the second respondent to conclude the disciplinary proceedings within a stipulated time.

2. Considering the limited scope of the Writ Petition and the fact that the disciplinary proceedings were pending from the year 2023, this Court, by order dated 26.02.2026, disposed of the Writ Petition with a direction to the respondents to conclude the disciplinary proceedings within a period of six weeks from the date of receipt of a copy of the said order. The Writ Petition was disposed of at the admission stage itself without ascertaining the stage of the disciplinary proceedings.

3. The petitioner has now filed this Contempt Petition stating that the order passed by this Court in the Writ Petition has not been complied with.

4. The learned Government Advocate appearing for the respondents submits that the disciplinary authority, upon verification, found that the charges had been proceeded with without following the Circular issued by the Personnel and Administrative Reforms (P&AR) Department dated

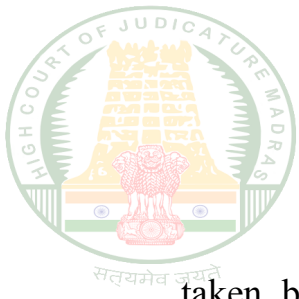


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01.12.1978 and the Vigilance Commission's letter dated 29.12.1980. He also relied upon Paragraph 111(2) of the Vigilance Manual and submitted that the charges ought to have been vetted by the Vigilance Department. However, the same was not done while framing the charges. He submits that a request for vetting by the Vigilance Department was made as early as on 08.01.2026 and that the earlier Charge Memo has been referred to the Vigilance Department for vetting in accordance with the Vigilance Manual. However, the said proceedings dated 08.01.2026 were not placed before this Court when it passed the order in W.P.(MD) No.5369 of 2026 on 26.02.2026, and therefore, this anomaly has occurred. He further submits that the vetted Charge Memo dated 27.04.2026 has also been challenged by the petitioner in W.P.(MD) No.14104 of 2026 and that this Court, by order dated 13.05.2026, granted an interim stay in W.M.P.(MD) No.10512 of 2026. According to him, in view of the above, the respondents are not in a position to comply with the earlier order.

5. The learned counsel appearing for the petitioner submits that this Court had passed an order directing the respondents to conclude the proceedings within a stipulated time. The respondents are not justified in taking the stand that they had referred the charge memo to the Vigilance Department for vetting. According to the learned counsel, this stand has been



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taken by the respondents in order to scuttle the petitioner's promotional opportunities by not completing the enquiry proceedings within the time stipulated by this Court. Therefore, he submits that clear contempt has been made out.

6. This Court considered the rival submissions made on either side.

7. This Contempt Petition has been filed alleging that the order of this Court in W.P.(MD) No.5369 of 2026 dated 26.02.2026 has not been complied with and has been deliberately disobeyed by the respondents. The relevant portion of the above order dated 26.02.2026 is extracted hereunder:-

"3. Considering the nature of relief sought for in this writ petition, this writ petition is disposed of in the admission stage itself, with a direction to the respondents to conclude the disciplinary proceedings within a period of six weeks from the date of receipt of a copy of this order. No costs."

8. It appears that this Court passed the above order considering the nature of the relief sought for in the writ petition, without even providing an opportunity to the respondents. However, it appears that, even before such order was passed by this Court, a request had been made to the Vigilance



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Department for vetting the charge memo. Therefore, this Court is not inclined to entertain this Contempt Petition.

9. Considering the nature of the order passed in the writ petition, this Contempt Petition is closed.

10.07.2026

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To

1.The Additional Chief Secretary,
Micro Small and Medium Enterprises Department,
Secretariat, Chennai.

2.The Industries Commissioner and
Director of Industries and Commerce,
SIDCO Corporate Office Building,
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B.PUGALENDHI, J.

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