

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.10.2015

CORAM :

THE HONOURABLE MR.JUSTICE S.MANIKUMAR

and

THE HONOURABLE MR.JUSTICE M. VENUGOPAL

Contempt Petition No.3308 of 2014

in

W.A. No. 1271 of 2012

M. Thiagarajan

.. Petitioner

Vs.

1. Thiru S. Vijayakumar I.A.S.,
Secretary to Government
Animal Husbandry, Dairying and
Fisheries Department
Fort St. George
Chennai - 600 009.
2. Thiru Abraham Ramalingam I.A.S.,
Commissioner and Director
Animal Husbandry and Veterinary
Services, DMS Building
Chennai - 600 006.
3. Thiru R. Selva Vinayagam
Regional Joint Director
Animal Husbandry Department
V.O.C Nagar, Thanjavur.
4. Thiru K. Mohammed Uthuman
Assistant Director
Animal Husbandry Department
Kumbakonam, Thanjavur.

.. Respondents

Contempt Petition filed praying to punish the respondents for disobeying the order of this Court dated 23.04.2014 made in W.A. No.1271 of 2012.

For Petitioner : Mr. G. Elanchezhiyan
 For Respondents : Mr. T.N. Rajagopal
 Spl. Govt. Pleader

O R D E R

This Contempt Petition has been filed alleging wilful disobedience of the order of this Court dated 23.04.2014 made in W.A. No.1271 of 2012.

2. On 09.09.2015, while issuing Statutory notice to the respondents, we made it clear that dispensing with the appearance of the respondents would be considered, if the order made in W.A. No. 1271 of 2012 dated 23.04.2014 is complied with, within the statutory period of four weeks notice.

3. On this day, Mr. R. Selva Vinayagam, Regional Joint Director, Animal Husbandry Department, VOC Nagar, Thanjavur, the 3rd respondent is present. Mr. K. Mohammed Uthuman, Assistant Director, Animal Husbandry Department, Kumbakonam, Thanjavur District, the 4th respondent mentioned in the Contempt Petition has been replaced by Mr. Manoharan, the present Assistant Director, Animal Husbandry Department, Kumbakonam, Thanjavur District, is also present. In so far as Mr. S. Vijayakumar, Secretary to the Government, Animal Husbandry, Dairying and Fisheries Department, Chennai and Mr. Abraham Ramalingam, the Commissioner and Director, Animal Husbandry and Veterinary Services, Chennai, respondents 1 and 2 in the Contempt Petition, two petitions in M.P. SR. Nos. 40144 and 40145 of 2015 have been filed for dispensing with their personal appearance, *inter alia* contending that the orders dated 23.04.2014 made in W.A. No. 1271 of 2012 have been complied with, though with a delay, due to some administrative

reasons. That apart, in their affidavits, respondents 1 and 2 have submitted that on 07.10.2015 and 08.10.2015 officials of the World Bank Team from Delhi, have scheduled a meeting, to review the works to the tune of Rs.318 crores and during the said meeting the presence of the Administrative Secretary and the Commissioner and Director, Animal Husbandry and Veterinary Services, is required. They seek to dispense with their appearance for the above said reasons.

4. The reasons assigned by the respondents 1 and 2 for their non-appearance, is accepted. Therefore, the appearance of respondents 1 and 2 in the contempt petition, is dispensed with.

5. It is also to be noted that the orders dated 23.04.2014 made in W.A. No. 1271 of 2012, as well as the subsequent order dated 09.09.2015, have been complied with, in letter and spirit. Learned counsel for the petitioner submitted that the entire arrears of salary and other benefits from 01.07.1999, have been received through ECS. True copy of the G.O. (Ms) No.185 Animal Husbandry, Dairying and Fisheries (AH6) Department dated 22.09.2015, produced by the learned Special Government Pleader and the letter dated 06.10.2015 of the petitioner addressed to the Assistant Director, Animal Husbandry Department, Kumbakonam, Thanjavur District, the 4th respondent herein, would form part of record, as proof of the compliance of the order of this Court.

6. In view of the above, we are not inclined to proceed further in the contempt petition and hence the Contempt Petition is closed.

avr

SD/-
DEPUTY REGISTRAR (CLAA)

//Certified to be true copy//

Dated at Madras this the day of 2015.

COURT OFFICER (O.S.)

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SS/CO/29/10/2015

To

1. Secretary to Government
Animal Husbandry, Dairying and
Fisheries Department
Fort St. George
Chennai - 600 009.
2. Commissioner and Director
Animal Husbandry and Veterinary
Services, DMS Building
Chennai - 600 006.
3. Regional Joint Director
Animal Husbandry Department
V.O.C Nagar, Thanjavur.
4. Assistant Director
Animal Husbandry Department
Kumbakonam
Thanjavur District.



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