

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2016

CORAM

THE HONOURABLE MR. **JUSTICE M.M.SUNDRESH**

Contempt Petition No.376 of 2015

J.Jayapaul Mohan .. Petitioner

Vs

N.S.Palaniappan, I.A.S.,
Principal Secretary to Government,
Public Works Department,
Fort St.George,
Chennai - 600 009. .. Respondent

Prayer: Contempt under Section 11 of the Contempt of Courts Act, 70/71 praying to punish the respondent for his willful disobedience in not implementing the order dated 17.11.2014 in W.P.No.29119 of 2013.

For Petitioner : Mr.A.L.Namasivayam

For Respondent : Mrs.P.Rajalakshmi, Govt. Advocate

ORDER

The petitioner has come forward to file this contempt petition alleging that the the order dated 17.11.2014 made in W.P.No.29119 of 2013 has been disobeyed wilfully.

2. Learned Government Advocate appearing for the respondent by filing counter affidavit submits that order passed by this Court has been complied with and orders were issued cancelling the modified punishment of withholding of increment for one year with cumulative effect vide G.O.(D) No.278, Public Works (F2) Department, dated 21.09.2015 and the increment withheld from 1.10.2012 to 30.9.2013 has also been sanctioned to the petitioner vide proceedings of the Executive Engineer, Public Works Department, Buildings Maintenance Division, Medical Works, Chennai - 5 in proceedings No.Supdt/ 929/2015, dated 10.12.2015. It is also submitted that the claim of the petitioner for restoration of seniority in the post of Assistant Executive Engineer was rejected due to disciplinary proceedings/criminal case pending against the petitioner and the same was also informed to the petitioner, vide respondent's letter No.11307/A1/2015-4, Public Works Department, dated 4.11.2015.

3. In view of the submission made by the learned Government Advocate appearing for the respondent, this Court does not find any willful disobedience of the order passed by this Court. If the petitioner is aggrieved against the Order dated 4.11.2015 passed by the respondent,

he is at liberty to work out his remedy in the manner known to law. With this observation, the contempt petition is closed.

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SD/-
DEPUTY REGISTRAR(OS)

//Certified to be true copy//

Dated at Madras this the day of 2015.

COURT OFFICER(O.S.)

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RLD/CO/06/04/2016

One CC to Government Pleader, SR.2247

To

The Principal Secretary to Government,
Public Works Department,
Fort St.George,
Chennai - 600 009.

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