

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2016

CORAM

The Hon'ble MR.JUSTICE M.M.SUNDRESH

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

Contempt Petition No.1484 of 2016

S.Umapathy,
The Secretary,
Tamilnadu Dr.Ambedkar Organisation,
Periya Karumpoor,
Chinnakarumpoor Post,
Thothipattu-635 811,
Ambur Taluk, Vellore District. ... Petitioner

-vs-

Thiru.S.Sivashanmugaraja, I.A.S.,
The Commissioner and the Director,
Adi Dravidar and Tribal Welfare Department,
Chepauk, Chennai-600 005. ... Respondent

Petition filed under Section 11 of the Contempt of Courts Act, 1971, to punish the respondents for wilfull disobedience of the order dated 25.03.2015 made in W.P.No.8467 of 2015.

For Petitioner : Mr.V.Raghavachari

For Respondent : Mr.T.N.Rajagopalan
Spl. Government Pleader

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O R D E R

(Order of the Court was made by R.MAHADEVAN, J.)

This Contempt Petition has been filed for the wilfull disobedience of the order passed by this Court in W.P.No.8467 of 2015, dated 25.03.2015.

2. Heard Mr.V.Raghavachari, learned counsel for the petitioner and Mr.T.N.Rajagopalan, learned Special Government Pleader for the respondent.

3. The writ petition has been filed by the petitioner seeking a direction to the respondents therein to build a Community Centre for Adi Dravidars in S.No.96/1A1, 1A2, 1A3 situate in Periya Karumboor village, Amboor Taluk, Vellore District. This Court, while disposing of the writ petition observed that though a larger relief has been sought for by the petitioner, in the light of the submission made by the learned counsel for the petitioner that the local Panchayat has passed a resolution in the year 2009 and the District Adi Dravidar and Tribal Welfare Officer Vellore has sent its communication dated 23.11.2010 to the Commissioner and the Director, Adi Dravidar and Tribal Welfare Department, Chennai/respondent herein which was pending consideration, directed the respondent to pass final orders on the same within a period

order. Alleging non-compliance of the said order, the petitioner has filed the present Contempt Petition.

4. When the Contempt Petition is taken up for hearing, the learned Special Government Pleader circulated a copy of the counter filed in the Contempt Petition. In paragraphs 7 and 8, it has been stated as under:-

"7. It is submitted that in response to the orders passed by this Hon'ble Court in the above Writ Petition, the Government sent a communication to this respondent vide Govt. Lr.No.9626/SCP(1)/2016-1 dated 08.7.2016 stating that Part II Scheme in the State for the year 2015-2016 has been changed into Tamil Nadu Innovation Initiative Scheme and to take action to construct the Community Hall under the Tamil Nadu Innovation Initiative Scheme but however permitted this respondent to construct the above said Community Hall from the funds of Special Central Assistance as a special case to comply with the order of this Hon'ble Court passed in W.P.No.8467 of 2015. Accordingly, this respondent has given suitable instructions to the concerned Section to allot a sum of Rs.20,00,000/- from the Special Central

Assistance Funds for the year 2016-2017 to construct the Community Hall in the above said survey numbers.

8.It is submitted that the construction work will be started immediately after getting the funds from Special Central Assistance Fund from the Central Government for the year 2016-2017 submitted that this respondent has taken appropriate action."

5. On a perusal of paragraphs 7 & 8 of the counter, we find that after passing of the order in the writ petition, the Government sent a communication to the respondent informing that Part II Scheme in the State for the year 2015-2016 has been changed into Tamil Nadu Innovation Initiative Scheme and take action to construct the Community Hall under the changed Scheme. However, permitted the respondent to construct the Community Hall from the funds of Special Central Assistance as a special case and the respondent has also given suitable instructions to the concerned Section to allot a sum of Rs.20.00 lakhs from the Special Central Assistance Funds for the year 2016-2017 to construct the Community Hall.

<https://hcservices.ecourts.gov.in/hcservices/> 6. Since the direction passed by this Court dated

25.03.2015 in W.P.No.8467 of 2015 has been complied with

and recording the submission made by the learned Special Government Pleader and also the averments made in the counter, this Contempt Petition is closed.

JOINT REGISTRAR(OS)

BBR

//Certified to be true copy//

Dated at Madras this the day of 2016.

COURT OFFICER(O.S.)

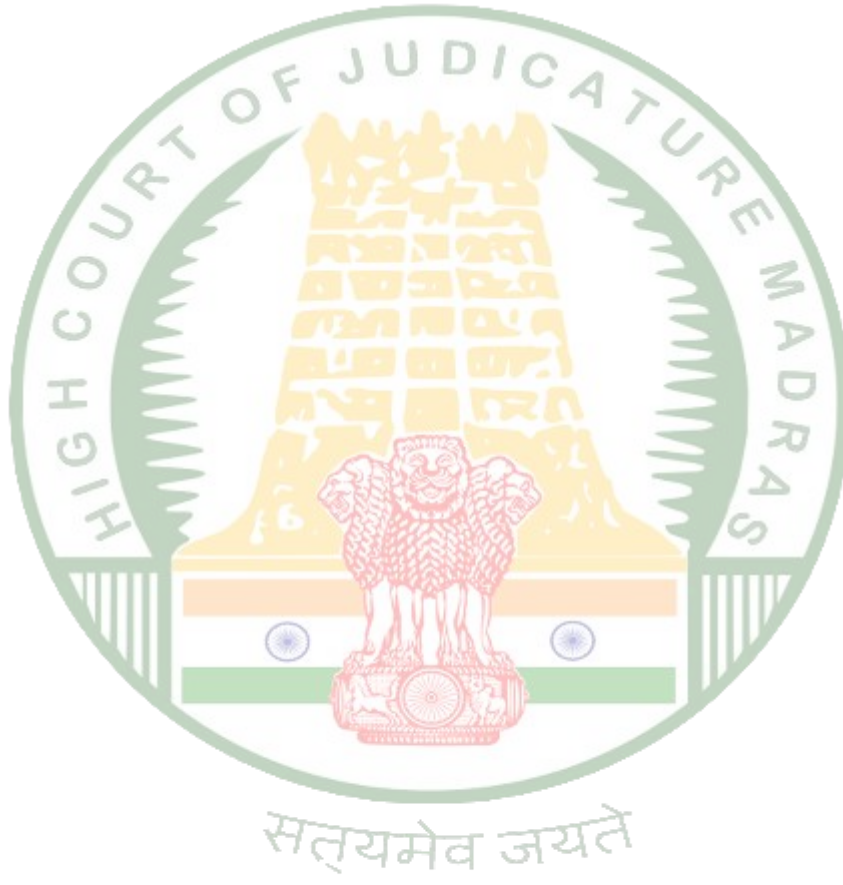
From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.
SS/CO/19/10/2016

To
The Commissioner and the Director,
Adi Dravidar and Tribal Welfare Department,
Chepauk, Chennai-600 005.

One CC to The Government Pleader, SR.12873/2016
One CC to Mr.V.Raghavachari, Advocate, SR.12882/2016

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