



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.06.2016

CORAM:

THE HONOURABLE Mr.JUSTICE T.RAJA

Cont.P.(MD)No.723 of 2016

R.Mohan

... Petitioner/Petitioner/Petitiner

Vs.

K.Veera Ragava Rao, I.A.S.,
The District Collector,
Madurai District.

... Contemnor/1st Respondent/
1st Respondent

Prayer: The petition is filed under Section 11 of Contempt of Courts Act, 1971, to summon and punish the respondent for his willful disobedience of the interim order of this Court in M.P. (MD)No.1 of 2015 in W.P.(MD)No.14036 of 2015 dated 29.02.2016.

Prayer in MP(MD). 1/ 2015 in WP(MD).14036/2015 :

To grant an AD INTERIM STAY of the operation of the impugned orders passed by the the 1st respondent in his proceedings in Na.Ka.No.38078/2014/Voo.Va.5 dated 30.07.2015 and Na.Ka.No.13040/2015/Voo.Va.4 dated 30.7.15.

Prayer in WP(MD). 14036/ 2015 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue WRIT OF CERTIORARI call for the records from the 1st respondent in his proceedings in Na.Ka.No.38078/2014/Voo.Va.5 dated 30.07.2015 and Na.Ka.No.13040/2015/Voo.Va.4 dated 30.7.15 and quash the same.

For Petitioner	: Mr.N.Sathish Babu
For Respondent	: Mr.M.Rajarajan, G.A.

O R D E R

This Contempt petition has been filed to initiate suitable proceedings against the respondent, District Collector, Madurai, for violating the interim order dated 29.02.2016 passed by this Court against the impugned order dated 30.07.2015 passed by the respondent, who is the 1st respondent in the main Writ petition.



2. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondent.

3. It is the contention of the petitioner that when he attained the age of superannuation on 31.07.2015, the respondent, District Collector, Madurai, has passed an order, permitting him to retire from service on 31.07.2015, without prejudice to a recovery proceedings. Since that has been stayed, it is pleaded by the petitioner that the respondent should have taken steps to prepare and send the pension proposal of the petitioner to the office of the Accountant General, Pension, Chennai. As they have not taken any steps, the petitioner has filed the present Contempt petition.

4. This Court is not able to find any merit in the Contempt petition for the reason that when this Court has granted an order of stay of operation of the impugned order dated 30.07.2015 and the said order is only with regard to recovery alone, there is no violation of the order passed by this Court. Therefore, the Contempt petition is misconceived and hence, the same is dismissed.

Sd/-

Assistant Registrar(CS-II)

/True copy/

Sub Assistant Registrar

To
Mr.K.Veera Ragava Rao, I.A.S
The District Collector,
Madurai District.

+1 cc to The Government Pleader in SR.No.28284

CSL/SKS-RR/13.06.2016 :2P/3C

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