

In the High Court of Judicature at Madras

Dated: **16.06.2017**

Coram:

The Hon'ble Mr.Justice **M.S.RAMESH**

Contp.No.257 of 2017

&

Sub appln. No.154 of 2017

P.Chandran

... Petitioner

Vs.

1.Mr.R.Sivakumar,
Block Development Officer (Panchayat),
Panchayat Union,
Gudalur, Niligiris.

2. The Director,
Directorate of Rural Development and Panchayat Raj,
Chennai.

(* 2nd Respondent is impleaded as per order dt.07/06/2017
made in Sub. Application No.154/17 in Cont.P.No.257/17)

... Respondent

Prayer: Contempt Petition filed under Section 11 of the
Contempt of Courts Act, to punish the Respondent for his
wilful disobedience of the order of this Court dated
07.11.2016 made in W.P.No.25410 of 2013.

For Petitioner : Mr.S.P.Sudalaiyandi

For Respondent : Mr.Rajaperumal
Additional Government Pleader

ORDER

By an order dated 07.11.2016 in W.P.No.25410 of 2013, this Court had permitted the petitioner to give a fresh representation to the second respondent and on receipt of such representation, the second respondent was directed to consider the petitioner's representation on its own merits and pass orders in accordance with law, within a period of eight weeks from the date of receipt of a copy of the order.

2.Pursuant to the order, the petitioner had given a representation dated 23.11.2016 to the second respondent. On receipt of the petitioner's representation, the second respondent had also forwarded the same to the District Collector, Niligiris. Since no orders were passed on the petitioner's representation, the petitioner had filed this contempt petition.

3.When the contempt petition was listed on 20.03.2017 and 27.03.2017, the learned Additional Government Pleader had taken time to get instructions. Since no instructions came forward till 10.04.2017, this Court had issued statutory notice to the second respondent. In spite of the statutory notice, the second respondent failed to appear before this Court and hence a bailable warrant was issued to the second respondent on 02.06.2017. Subsequently, the matter came to be listed today.

4.The learned Additional Government Pleader had produced the copy of the order dated 06.06.2017 which is a reply to the petitioner's representation dated 23.11.2016. Since the petitioner's representation has been disposed of

by the respondent, I am of the opinion that the present contempt petition deserves to be closed.

5. In this connection, the bailable warrant issued to the second respondent on 02.06.2017 is recalled. It is hereby made clear that in view of the disposal of the petitioner's representation dated 23.11.2016 and the second respondent having forwarded the petitioner's representation to the higher authorities in time, the second respondent has not committed any act amounting to wilful disobedience of this Courts' order. It is further made clear that the issuance of the bailable warrant was neither a punishment nor is to be construed as an adverse action against the second respondent and the same should not be cited as a cause for any disciplinary action affecting the service of the second respondent.

6. In the light of the above observations, the present Contempt Petition stands closed. It is open to the petitioner to challenge the said order dated 06.06.2017, if he chooses to do so. Consequently, connected application is also closed.

SD/-

JOINT REGISTRAR (OS) (i/c)

//Certified to be true copy//

Dated at Madras this the day of 2017.

COURT OFFICER (O.S.)

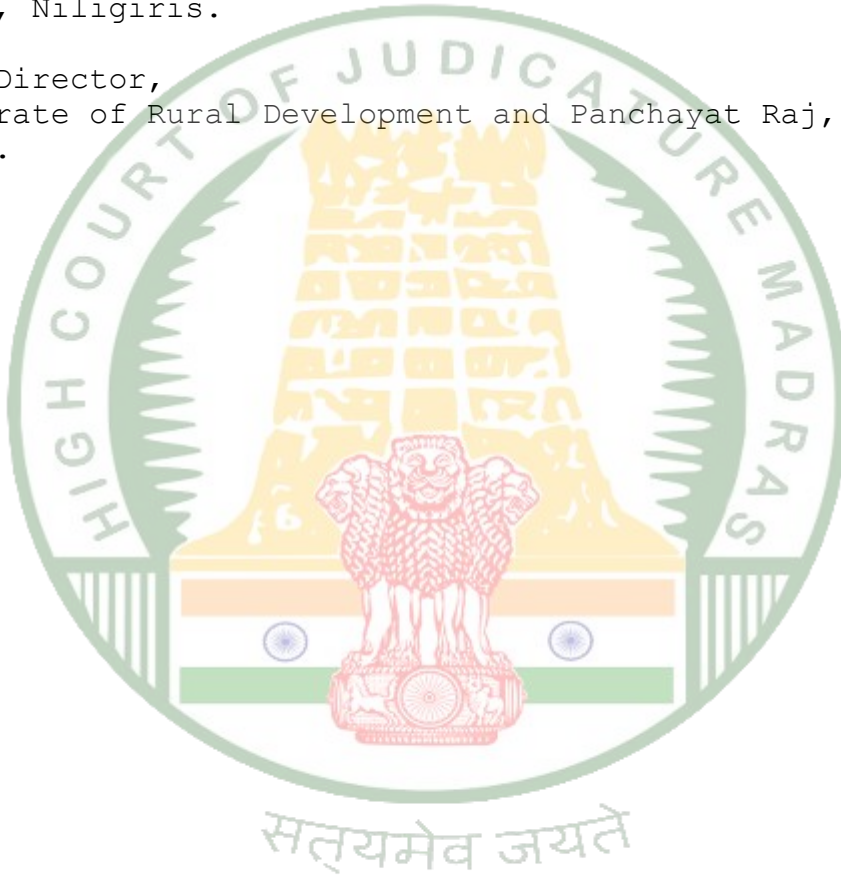
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SS/CO/19/07/2017

To

1. The Block Development Officer
(Panchayat),
Panchayat Union,
Gudalur, Nilgiris.

2. The Director,
Directorate of Rural Development and Panchayat Raj,
Chennai.



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