

## IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

Cont.P.No.2319 of 2016  
and Sub.A.No.36 of 2017

Puducherry Bhimsena  
 Rep. by its President. ... Petitioner  
 vs.

Mr.Ragunathan  
 The Director,  
 Adi Dravidar Welfare Department,  
 Government of Puducherry,  
 Puducherry. ... Respondent

**Prayer:** Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondent for his deliberate disobedience of this Court order dated 03.06.2016 passed in W.P.No.5174 of 2016.

For Petitioner : Mr.P.R.Thiruneelakandan

For Respondent : Mr.Reena Iswariya  
 Additional Government Pleader (Pondy)

**ORDER**

This Court in the operative portion of the order dated 03.06.2016, which is the subject matter of this contempt petition, has observed as follows:

"6. Be that as it may, though the petitioner prayed for a larger relief, this Court in the light of the above facts and circumstances, directed the first respondent to consider and dispose of the petitioner's representation dated 09.12.2015 in accordance with law after providing an opportunity of personal hearing to the President of the petitioner association, namely, Thiru Harikrishnan and pass orders on or before 04.07.2016 and communicate the decision taken, to the petitioner and till then, status quo as on 30.3.2016, shall be maintained."

2. The respondent/contemnor has filed a counter affidavit and in para 7 of the same, took a stand that the documents and letters which were furnished by the petitioner have been thoroughly verified with reference to the records maintained in the department and found that no deviation in implementing the norms enunciated under the Scheme was noticed.

3. Mrs. Reena Iswariya, learned Additional Government Pleader (Pondy) appearing for the respondent/contemnor has drawn the attention of this Court to the typed set filed along with the counter affidavit and would submit that the President of the petitioner association was afforded with opportunity and documents were also verified and order was passed on 02.09.2016 and it was also communicated to the petitioner and would further submit that this Court has not indicated the manner in which consideration should be made and orders should be passed and as such, it cannot be said that the respondent had wilfully not complied with the orders passed by this Court and prays for closure of this Contempt Petition.

4. This Court has considered the rival submissions and also perused the entire materials placed before it.

5. This Court in the operative portion of the order dated 03.06.2016 passed in the writ petition did not indicate the manner in which enquiry is to be conducted and consideration of the factual aspects and orders to be passed and it is the stand

of the respondent/contemnor that the order passed by this Court has been fully complied with and necessary communication dated 02.09.2016 has also been sent to the petitioner.

6. In the light of the same, this Court is of the view that the order passed by this Court has been complied with. Hence, this Contempt Petition is closed. If the petitioner is so advised, he is at liberty to challenge the order dated 02.09.2016 passed by the respondent/contemnor in accordance with law before the competent forum. Consequently, the Sub-Application is also closed.

Sd/-

JOINT REGISTRAR (OS)

//Certified to be true copy//

Dated at Madras this the      day of      2017.

COURT OFFICER(O.S.)

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CO/22/03/2017

To  
Mr.Ragunathan  
The Director,  
Adi Dravidar Welfare Department,  
Government of Puducherry,  
Puducherry.

One CC to Government Pleader, High Court, Sr.No.2718  
One CC to P.R.Thiruneelakandan, Advocate, Sr.No.2598