



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 24.01.2017

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM
and
THE HONOURABLE MR.JUSTICE P.KALAIYARASAN

CONT.P(MD)No.863 of 2016
in
W.P(MD)No.2019 of 2013

S.Chinnaiah .. Petitioner/Petitioner
Vs.

Tmt.Malarvizhi, I.A.S.,
District Collector,
Collectorate Campus,
Sivagangai, Sivagangai District. .. Contemnor/Respondent

PRAYER: Contempt Petition is filed under Section 11 of the Contempt of Courts Act, 1971 praying to punish the respondent/contemnor for willfully and deliberately disobeying the order of this Court made in W.P(MD)No.2019 of 2013 dated 13.08.2015.

Prayer in WP(MD). 2019/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorari, call for the entire records of the 2nd Respondent in pursuance of the Impugned letter No.1156/Kh.K/2012 dated 07.05.2012 of the 2nd Respondent and to Quash the same and Order to hold public enquiry with advance notice to all concerned more particularly the alleged beneficiaries of the scheme.

For Petitioner : Mr.K.C.Ramalingam

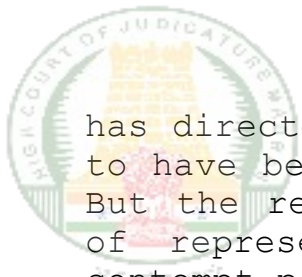
For Respondent : Mr.M.Govindan,
Special Government Pleader.

ORDER

[Order of the Court was made by A.SELVAM, J.]

This Contempt Petition has been filed praying to punish the respondent for the willful disobedience of the order dated 13.08.2015 passed in W.P(MD)No.2019 of 2013 by this Court.

2.It is averred in the petition that the petitioner has filed W.P(MD)No.2019 of 2013 on the file of this Court, wherein the present respondent has been shown as respondent. After considering the contentions putforth on either side, this Court



has directed the respondent to consider the representation alleged to have been given by the petitioner and take appropriate action. But the respondent has not taken appropriate action on the basis of representation. Under the said circumstances, the present contempt petition has been filed.

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3.The learned counsel appearing for the petitioner has contended that on the basis of order dated 13.08.2015 passed in W.P(MD)No.2019 of 2013, the respondent has not taken any action for conducting a detailed enquiry.

4.The learned Special Government Pleader appearing for the respondent/contemnor has represented that on the basis of direction given by this Court in W.P(MD)No.2019 of 2013, the respondent has taken appropriate action and also directed so many subordinates to collect materials in consonance with the allegations made in the representation.

5.In fact this court has perused the concerned file and ultimately found that the respondent has taken sincere efforts to find out the allegations made in the representation.

6.Considering the fact that the respondent has made sincere efforts in obedience of the order passed in W.P(MD)No.2019 of 2013 dated 13.08.2015, this Court is of the view that the present contempt proceeding is totally unwarranted and therefore the present contempt petition deserves to be dismissed.

7.In fine, this contempt petition is dismissed without costs.

Sd/-
Assistant Registrar(RTI)

/True copy/

Sub Assistant Registrar

To
Tmt.Malarvizhi, I.A.S.,
The District Collector,
Collectorate Campus,
Sivagangai, Sivagangai District.

+1cc to Mr.K.C.Ramalingam, Advocate SR.NO.3982
+1cc to special Government Pleader SR.No.4143

smn
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