

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

CONTEMPT CASE No.1402 of 2015

Date : 28-07-2017

Between:

Kum. G. Chinmayi

... Petitioner.

And

Dr. Vijay Kumar, IAS,
Principal Secretary State of Andhra Pradesh,
Social Welfare Department,
Secretariat, Hyderabad.

... Respondents



THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

CONTEMPT CASE No.1402 of 2015

ORDER:

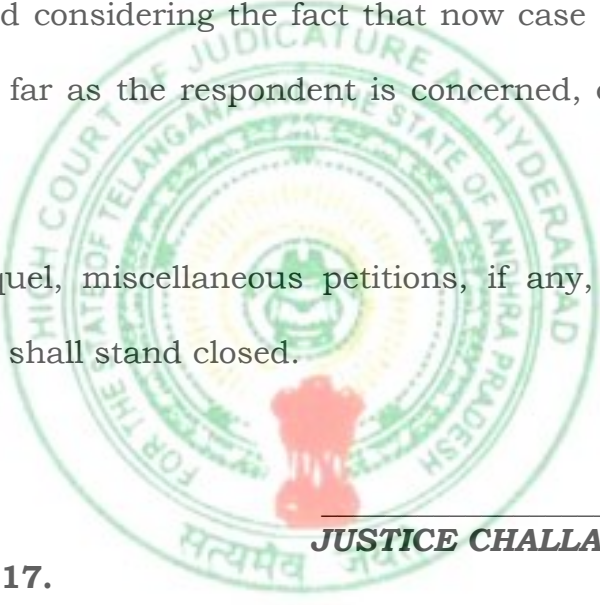
The contempt case is filed alleging non-implementation of the order dated 13-03-2015 passed by this Court in W.P.No.6310 of 2015. Noticing that it was a case of 17 years student, a specific direction was given to the first respondent therein to dispose of the appeal, within a period of four weeks.

2. On notice being issued, respondent is present and a counter affidavit is filed on his behalf.

3. The respondent in his counter-affidavit stated that as soon as the copy of the order has been received on 02-06-2015, the respondent had issued a memo to the District Collector, Kurnool on 15-06-2015 seeking information from the District Collector, Kurnool and also to offer Parawise remarks. The District Collector in turn had furnished the same on 01-07-2015. It is further stated in the counter that the papers were put up before the Hon'ble Minister for Social Welfare on 29-07-2015 and the date of hearing was given on 13-03-2015. However, as the Minister was out of station on that day, the case was posted to 31-10-2015 and subsequently on 28-11-2015. The respondent was the Principal Secretary for the period 21-01-2015 to 02-06-2016. It appears that now the case stands posted to 05-08-2017. Though the explanation offered by the respondent appears a bit plausible, it cannot be again said that any due diligence shown by the respondent and application of mind in acting on the orders of the Court. It may be noted that Court had sensitized in the very order that is a case of the student about 17 years and the case relates to issuance of a caste certificate. The casual manner in which the same

has been dealt with in normal circumstances cannot be countenanced. The stand of the respondent that he had done what all can be done by placing the papers before the Minister is only a lame excuse as it is the duty of the Principal Secretary to ensure and sensitize the importance of the case and particularly in compliance of the orders of the Court. It may also be noted that though technically, Minister is the appellate authority for hearing the appeal for all practical purposes, it is the Secretary, who is expected to and who is required to guide the political executive in disposing of the matters. However, considering the fact that the respondent had retired on 31-08-2016 and considering the fact that now case stands posted to 05-08-2017 so far as the respondent is concerned, contempt case is closed.

4. As a sequel, miscellaneous petitions, if any, pending in this contempt case, shall stand closed.



JUSTICE CHALLA KODANDA RAM

Date:28-07-2017.
mrb

