

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2019

CORAM:

THE HONOURABLE MR.JUSTICE **K.K.SASIDHARAN**
AND
THE HON'BLE MR.JUSTICE **P.D.AUDIKESAVALU**

Cont.P.No.77 of 2017

R.Chandrasekaran ... Petitioner

Vs.

1.B.P.Sharma
Secretary,
Department of Personnel and Training,
Public Grievances & Pensions,
North Block, New Delhi - 110 001.

2.V.Bhuvaneswari
Pay and Accounts Officer,
Central Excise,
Central Excise Annex Building,
No.121 Uttamar Gandhi Salai,
Chennai - 600 034.

3.Archana Nigam
Principal Chief Controller of Accounts,
Central Board of Excise and Customs,
A.G.C.R.Building, I.P.Estate,
New Delhi - 110 002.

... Respondents

Petition filed under Section 11 of the Contempt of Courts Act to punish the respondent for willful disobedience of the order dated 08.12.2014 in W.P.No.19024 of 2014.

For Petitioner : Mr.C.K.Chandrasekar

ORDER

The contempt petition is filed for non-compliance of the direction issued by this Court in W.P.No.19024 of 2014.

2. The Department appears to have passed an order dated 08.08.2016 withdrawing the earlier order dated 12.12.2012.

3. We are informed by the learned counsel for the petitioner that the petitioner has already filed Original Application in O.A.No.1380 of 2016 before the Central Administrative Tribunal, Chennai, challenging the subsequent order.

4. According to the learned counsel, the conduct of the respondents in passing the order dated 08.08.2016 withdrawing the earlier order dated 12.12.2012 is contemptuous, inasmuch as the direction given by this Court though complied with earlier has now been flouted.

5. It is true that the earlier order dated 12.12.2012 was withdrawn by order dated 08.08.2016. The withdrawal of the earlier order would give a fresh cause of action to the petitioner to challenge the said proceedings. It is open to

the petitioner to challenge the order dated 08.08.2016 before the appropriate forum in the manner known to law.

6. The contempt petition is closed with the above observation.

SD/-

ASSISTANT REGISTRAR (COMM.CASES)

svki

//Certified to be true copy//

Dated at Madras this the day of 2019.

COURT OFFICER (O.S.)

from 25th day of September 2008 the Registry is issuing Certified copies of the Orders/Judgments/Decrees in this format.

THS/09/04/2019

1. The Secretary,
Department of Personnel and Training,
Public Grievances & Pensions,
North Block, New Delhi - 110 001.
2. Pay and Accounts Officer,
Central Excise,
Central Excise Annex Building,
No.121 Uttamar Gandhi Salai,
Chennai - 600 034.
3. The Principal Chief Controller of Accounts,
Central Board of Excise and Customs,
A.G.C.R. Building, I.P. Estate,
New Delhi - 110 002.