

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2020

CORAM

THE HON'BLE MR.JUSTICE P.VELMURUGAN

Contempt Petition No.517 of 2009
in
W.P.No. 13913 of 2008

S.Dharmalingam,
S/o.Subbarayan

..Petitioner

Vs

1. Dheenabandhu
Secretary to Government,
Revenue Department,
Secretariat, Chennai-9.

2.Sundaradevan,
Special Commissioner and Commissioner of
Revenue Administration,
Chepauk,
Chennai – 5.

..Respondents

Prayer: Petition filed under Section 11 of the Contempt of Courts Act, 1971
to punish the respondents for willfully and deliberately disobeying the orders
of this Court dated 29.07.2008 made in W.P.No.13913 of 2008.

For Petitioner : No Appearance

For Respondents : Mr.M.Elumalai, AGP

ORDER

The Contempt Petition has been filed to punish the respondents for willfully and deliberately disobeying the orders of this Court dated 29.07.2008 made in W.P.No.13913 of 2008.

2. No representation for the petitioner. Heard the learned Additional Government Pleader and perused the records.

3. The learned Additional Government Pleader appearing for the respondent would submit that in compliance with the orders of this Court dated 29.07.2008m the Government have issued orders in G.O.(2D) No. 362, Rev, dated 06.07.2009 dropping the charges pending against the petitioner and the suspension has been revoked with immediate effect and he has been permitted to retire from service with effect from the date of his superannuation on 30.04.2009 AN. Therefore, the present contempt petitioner may be closed.

4. I have perused the order of this Court dated 29.07.2008, the relevant portion of the order is extracted hereunder;

“In view of the stand taken by the respondents in their counter affidavit as well as the fact that the respondents have filed petition in the earlier writ petitions, seeking extension of time for a period of six months for passing final orders, the learned senior counsel for the petitioners submitted that reasonable time may be extended by this Court. The said statement is recorded. Hence, I am of the view that interest of justice would be met by permitting the second respondent in W.P.Nos.13911 and 13913 of 2008 to pass final orders on or before 31.10.2008. It is made clear that if no final orders are passed within the said time, which is extended as per the request of the respondents, the charge memo levelled against the petitioners should be treated as dropped.”

5. It is clear from the above order of this Court that if the respondent fails to pass final orders on or before 31.10.2008, the charges levelled against the petitioner shall be treated as dropped. Though the respondent has not passed the order within the stipulated time, the charges levelled against the petitioner were subsequently dropped by the 1st respondent vide orders G.O.(2D) No. 362, Rev, dated 06.07.2009 and he was also permitted to retire from service with effect from the date of his superannuation on 30.04.2009 AN. In view of the same nothing survives for adjudication in the contempt petition.

6. Accordingly, this Contempt Petition is closed. No costs.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

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//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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

SMI/30/12/2020

To

1. The Secretary to Government,
Revenue Department,
Secretariat, Chennai-9.

2.The Special Commissioner and Commissioner of
Revenue Administration,
Chepauk,
Chennai – 5.

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