

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2020

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

Cont.P.No.1713 of 2019

A.Glory Gunaseeli

..Petitioner

Vs.

1.S.Madumathi, I.A.S.,
The State of Tamil Nadu,
Rep.by the Secretary to Government,
Social Welfare and Nutritious Meal Programme,
Chief Secretariat,
St.George Fort,
Chennai-600 009.

2. R.Lalvena,
The Commissioner,
Commissionerate of Social Defence,
300, Purasawakkam High Road,
Kellys, Chennai-600 010.

..Respondents

Prayer : Contempt Petition filed under Section 11 of Contempt of Courts Act, to punish the respondents herein for their willful disobedience of order made in W.P.No.7465 of 2019 dated 12.04.2019.

For Petitioner : Mr.N.Balamuralikrishnan

For Respondent : Mr.J.Ramesh
Additional Government Pleader

O R D E R

The contempt petition is filed to punish the respondents for willful disobedience of the orders passed by this Court on 12.04.2019 in W.P.No.7465 of 2019.

2. During the process of implementation of the orders of this Court, the respondents found other particulars in relation to other charges framed against the contempt petitioner and filed a status report in April 2019 setting out certain facts.

3. A perusal of the status report reveals that some more charges were also framed against the contempt petitioner and accordingly, the respondents expressed their inability to implement the order immediately. However, it is brought to the notice of this Court that the competent authority has taken a dissident view in respect of enquiry report submitted in the departmental disciplinary proceedings and the said dissident view taken by the disciplinary authority was challenged by the contempt petitioner in W.P.No.31717 of 2019. This Court granted an interim order on 11.11.2019 in W.M.P.No.31924 of 2019. In

view of the fact that the petitioner filed a fresh writ petition challenging the dissident view taken by the disciplinary authority, in respect of the departmental disciplinary proceedings, this Court cannot arrive at a conclusion that the respondents have committed a willful contempt in respect of the orders passed by this Court on 12.04.2019 in W.P.No.7465 of 2019. Thus, the contempt petitioner is at liberty to work out his remedy in the writ petition filed subsequent to the filing of the contempt petition. Accordingly, the contempt petition stands closed.

SD/-

ASSISTANT REGISTRAR (COMM.CASES)

ssb

//Certified to be true copy//

Dated at Madras this the day of 2020.

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/29/01/2020

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To

1. The Secretary to Government,
Social Welfare and Nutritious Meal Programme,
Chief Secretariat,
St.George Fort,
Chennai-600 009.
2. The Commissioner,
Commissionerate of Social Defence,
300, Purasawakkam High Road,
Kellys, Chennai-600 010.