



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.01.2020

CORAM:

THE HONOURABLE MR.JUSTICE **R.SUBRAMANIAN**

CONT.P. (MD)No.996 of 2019

T.Gowri : Petitioner/Petitioner
Vs

Dr.T.V.Somanathan I.A.S.,
Additional Chief Secretary / Commissioner of
Commercial Taxes,
Ezhilagam, Chennai-600 005. :Contemnor/ Respondent

PRAYER: Contempt Petition is filed under Section 11 of the Contempt of Courts Act, 1971, to punish the contemnor / respondent for his wanton and willful disobedience of the order passed by this Court in W.P.(MD)No.20639 of 2017, dated 10.01.2019.

Prayer in WP(MD). 20639/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorari call for the records on the file of the respondent in connection with the impugned order of suspension passed by him in his proceedings No. E2/36999/2015 dated 7.1.2016 and quash the same as arbitrary.

For Petitioner : Mr.G.Thalaimutharasu
For Respondents : Mrs.S.Srimathy
Special Government Pleader

ORDER

This contempt petition has been filed complaining that the order dated 10.01.2019 made in W.P.(MD)No.20639 of 2017 has not been complied with.

2. Aggrieved by the order refusing to review the suspension on the ground that the criminal case is pending investigation, the petitioner had come with W.P.(MD)No.20639 of 2017. The said writ petition was disposed of with the following directions:-

"3. In view of the same, the impugned order in the writ petition is quashed. The writ petition stands disposed of with a direction to the respondent to



*reconsider the issue of suspension and pass fresh orders in the light of the guidelines issued by the Hon'ble Supreme Court in **Ajay Kumar Chowdry Vs. Union of India** within a period of eight weeks from the date of receipt of a copy of this order. There shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed."*

3. After passing of the said order, the respondent has passed an order stating that the suspension cannot be revoked in view of the fact that the charges against the petitioner are grave in nature and it is a trap case, where the petitioner has been got read handed on charges of corruption. This order dated 12.04.2019 in my considered opinion complies with the direction issued in the order, dated 10.01.2019 made in W.P.(MD)No.20639 of 2017. Hence, there is no question of any contempt having been committed. Leaving it open to the petitioner to challenge the order dated 12.04.2019, this contempt petition is closed. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

Dr.T.V.Somanathan I.A.S.,
Additional Chief Secretary / Commissioner of
Commercial Taxes,
Ezhilagam, Chennai-600 005.

CONT.P. (MD) No. 996 of 2019
10.01.2020

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