



WEB COPY

Cont.P.No.167 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.10.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Contempt Petition No.167 of 2021

D.Suresh Kumar,
Assistant Executive Engineer(Municipal)
Villupuram Municipality,
Villupuram,
Villupuram District

... Petitioner

-Vs-

Thiru.Harmander Singh IAS
Principal Secretary
Department of Municipal Administration
and Water Supply,Secretariat, Chennai 600 009.

... Respondent

Prayer : Contempt Petition under Section 11 of the Contempt of Courts Act, 1970 to punish the respondents for willfully disobeying the orders passed in W.P. 15360 of 2019 dated 09.01.2020.

For Petitioners	:	Mr.S.Vijayakumar
For Respondents	:	Mr.J.Ravindran, Additional Advocate General Assisted by Mr.A.Selvendran Government Advocate

ORDER

Pursuant to the orders passed by this Court, the respondent had passed an order dated 23.07.2020. According to the learned counsel for the petitioner, the reasoning given by the respondent is the same stand that was taken even when the



earlier writ petition was decided by this Court. Therefore, the learned counsel for the petitioner used the expression 'old wine in the new bottle'.

2. In the considered view of this Court, when the earlier writ petition was dealt with by this Court, this Court did not go into the merits of the case and the impugned order was interfered with mainly on the ground that it was in violation of principles of natural justice. This was due to the fact that the disciplinary authority, while differing with the finding of the enquiry officer, did not assign any reasons and opportunity was not given to the petitioner. In the present order, it is found that the disciplinary authority has assigned reasons while passing the order dated 23.07.2020. The legality or otherwise of the order cannot be gone into by this Court exercising its contempt jurisdiction.

3. In view of the above, it is left open to the petitioner to challenge the impugned order passed by the respondent in the manner known to law and work out his remedy. Accordingly, this contempt petition is closed.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

kst

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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GS/21/12/2021

To

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The Principal Secretary,
Department of Municipal Administration
and Water Supply,
Secretariat, Chennai 600 009.

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