



WEB COPY

CONT.P.No.227 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2021

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

CONT.P.No.227 of 2020

R.Saraswathi,
Nochili Thotti Colony,
Nochili Post,
Pallipattu Taluk,
Thiruvallur District

.. Petitioner/Petitioner

vs.

1.Maheshwari Ravikumar, IAS
The District Collector,
Thiruvallur District,
Thiruvallur.

2.S.Sekar (BDO),
The Block Development Officer,
Pallipattu,
Thiruvallur District.

.. Respondents/Respondents

PRAYER : Contempt Petition filed under Section 11 of the Contempt of Courts Act to punish the respondents for the wilful disobedience of the order of this Court passed in W.P.No.16933 of 2018 dated 05.03.2019.

For Petitioner : **Mr.T.Nixon**

For Respondents : **Mr.M.Elumalai**
Government Advocate



ORDER

WEB COPY The contempt petition is filed to punish the respondents for the willful disobedience of the orders of this Court dated 05.03.2019 passed in W.P.No.16933 of 2018.

2. This Court passed an order as under:

“7. The fact to be noted in this case is the Block Development Officer has not initiated any action, which is construed as a negligence and dereliction of duty on part of the Block Development Officer as well as the Competent Authorities. It is duty mandatory on the part of the Competent Authorities to ensure that prompt actions were initiated in respect of the misconduct of unauthorized absence by the employees. In this regard, the first respondent, the District Collector, Thiruvallur District is directed to conduct an enquiry in respect of the lapses, negligence and dereliction of duty by the competent authorities in the present case and initiate appropriate disciplinary proceedings against the Block Development Officer or any other officer who all are responsible for not initiating actions in respect of the allegations of unauthorized absence and proceed against them by following the procedures contemplated under the Discipline and Appeal Rules. As far as the case of the writ petitioner is considered and also appropriate actions to be initiated and



suitable orders are to be passed.

8. With these observations, the writ petition stands disposed of. However, there shall be no order as to costs.”

3. The learned Government Pleader filed the copy of the proceedings dated 24.02.2020 and 08.03.2021 which reveals that the order passed by this Court on 05.03.2019 has been implemented. Regarding the initiation of the disciplinary proceedings against the officials concerned, it is stated that the alleged occurrence took place thirteen years back and as per the Tamil Nadu Pension Rules, the disciplinary proceedings cannot be taken after a lapse of four years from the date of retirement. The Block Development Officer and other officials retired long back and therefore, no action can be initiated under the Service Rules in-force. In view of the fact that the direction issued by this Court has been complied with, no further adjudication is required.

4. Accordingly, the contempt petition stands closed.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

ssb

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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To

1. The District Collector,
Thiruvallur District,
Thiruvallur.

2. The Block Development Officer,
Pallipattu,
Thiruvallur District.