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Cont.P.No.680 of 2021

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 27.08.2021**

**CORAM**

**THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM**

**Contempt Petition No.680 of 2021**

V.Rajan

No. 2/71, Puducherry Road,  
Gandhi Nagar,  
Tiruchitrambalam Road,  
Vanur Taluk,  
Villupuram District.

.. Petitioner

-VS-

1.Mr.Kumarasami,  
The Superintending Engineer,  
Villupuram Distribution Circle,  
TANGEDCO, Villupuram.

2.Mr.Natrajan,  
The Junior Engineer,  
TANGEDCO,  
EP/South/TANGEDCO,  
Tiruchitrambalam, Vanur Taluk,  
Villupuram District.

.. Respondents

**Prayer :-** Petition under Section 11 of the Contempt of Courts Act, 1971 to punish the respondent with maximum punishment for willful and deliberate disobedience for contempt of the order of this Court dated 12.03.2020 in W.P.No.23683 of 2017.

|                 |   |                                          |
|-----------------|---|------------------------------------------|
| For Petitioner  | : | Mr.B.Kumaraguru                          |
| For Respondents | : | Mr.Jai Venkatesh,<br>Government Advocate |



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## ORDER

This contempt petition has been filed alleging willful disobedience of the order and direction issued in W.P.No.23683 of 2017, dated 12.03.2020, by which, this Court had directed the second respondent to conduct a fresh enquiry into the matter after affording an opportunity of personal hearing to the petitioner.

2.Mr.Jai Venkatesh, learned Government Advocate appearing for the respondent-Board, on instructions from the second respondent, submitted that he had issued the first notice for enquiry dated 04.05.2020 for which, the petitioner sent a reply on 06.05.2020 requesting for time stating that due to the pandemic and lock-down, he is unable to appear. Therefore, fresh notice was issued on 06.10.2020, fixing the date of personal hearing on 20.10.2020. It is stated that the petitioner did not appear on the said date. Thereafter, another notice dated 12.11.2020 was issued for the hearing on 26.11.2020 and the petitioner did not respond to the said notice and did not appear. Therefore, the second respondent has given written instructions vide letter dated 12.01.2021 that he is unable to comply with the order because, the petitioner is not cooperative.

3.Considering the above submissions, this Court finds that there is no willful disobedience of the order and direction issued in the writ petition. Therefore, the contempt petition is not maintainable. However, since the second respondent has always been willing to complete the enquiry and the petitioner has also cited certain reasons for non-appearance, this Court is of the view that if a specific date is fixed for appearance of the petitioner, it would meet ends of justice.



4. Accordingly, the petitioner is directed to appear in the office of the second respondent on 13.09.2021 at 11.30 am without fail. If the petitioner appears, the second respondent shall proceed in accordance with the directions issued in the writ petition. If the petitioner fails to appear, the matter shall be treated as closed and no further orders are required to be passed.

With the above observations, this contempt petition stands disposed of. No costs.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

abr

//Certified to be true copy//

Dated at Madras this the                      day of                      2021.

COURT OFFICER(O.S.)

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

*GS/31/08/2021*

To

1. The Superintending Engineer,  
Villupuram Distribution Circle,  
TANGEDCO, Villupuram.

2. The Junior Engineer,  
TANGEDCO,  
EP/South/TANGEDCO,  
Tiruchitrambalam, Vanur Taluk,  
Villupuram District.