



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.10.2021

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE S.S.SUNDAR

CONT.P (MD) No.1284 of 2021

S.Selvaganapathy

...Petitioner

Vs.

1.Kumarakuruparan, IAS,
The Commissioner,
HR & CE Department,
Nungambakkam, Chennai.

2.Ganesan,
The Deputy Commissioner/Fit Person,
Arulmigu Sankaranarayanawami Temple,
Sankarankoil, Tirunelveli District.

... Respondents

Prayer: Contempt Petition filed under Section 11 of Contempt of Courts Act to initiate contempt proceedings against the contemnors/respondents and punish them for the willful disobedience of the order of this Court in WP(MD)No.1751 of 2014 dated 08.01.2021.

Prayer in WP(MD). 1751/ 2014 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order bearing Se.Mu.Na.Ka.No. 960/2010/A3 dated 31.12.2012 issued by the 2nd respondent and quash the same in so far as it withholds the petitioner s retirement benefits and consequently direct the respondents to disburse the provident fund amount, gratuity and provisional pension arrears forthwith andpass such other order or orders.

For Petitioner	:	Mr.T.Indrachithu
For R1	:	Mr.A.K.Manikkam, Government Advocate
For R2	:	Mr.V.R.Shanmuganathan

ORDER

This Contempt Petition is filed to punish the respondents for their wilful disobedience of the order passed by this Court in WP (MD)No.1751 of 2014 dated 08.01.2021.



2. The learned Government Advocate appearing for the first respondent has produced before this Court the proceedings issued by the Deputy Commissioner and Executive Engineer of Arulmigu Sankaranarayanawami Temple dated 17.08.2021.

3. As per the enquiry report, the petitioner in the Contempt Petition was made responsible for a sum of Rs.21,94,165/-. This Court disposed of the writ petition in WP(MD)No.1751 of 2014 on 08.01.2021 and the operative portion of the order reads as follows.

"Considering the prayer as now sought for by the learned counsel appearing for the petitioner, the respondents are directed to complete the enquiry, on merits and in accordance with law, within a period of six months from the date of receipt of a copy of this order and thereafter, if the enquiry report is drawn in favour of the petitioner, the respondents are directed to disburse the entire retirement benefits to the petitioner, which are entitled to him, within a period of two weeks thereafter. The petitioner is also directed to co-operate for the enquiry."

4. In view of the fact that the enquiry report has now been drawn against the petitioner holding him responsible for a certain sum, nothing further needs to be done by the respondents in compliance of the direction of this Court. Accordingly, this Contempt Petition is closed. No costs.

Sd/-

Assistant Registrar (T & P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



TO

1.Kumarakuruparan, IAS,
The Commissioner,
HR & CE Department,
Nungambakkam, Chennai.

2.Ganesan,
The Deputy Commissioner/Fit Person,
Arulmigu Sankaranarayanawami Temple,
Sankarankoil, Tirunelveli District.

+1 CC to M/s.SPL.GP (SR-32864[F] dated 27/10/2021)

CONT.P (MD) No.1284 of 2021
25.10.2021

SR(CO)

RS/PM (23.11.2021) 3P 4C