



Order dated : 23.06.2022
Contempt Petition No.2452 of 2016

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.06.2022

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

Contempt Petition No.2452 of 2016

Tamil Nadu Rural Development Officials'
Association,
represented by its State Vice President,
Mr.A.Kennedy Poobala Rayan,
now represented by its
State General Secretary,
Mr.P.Krishnasamy,
No.46, Theradi Street,
Triplicane, Chennai - 600 005.

...Petitioner

Vs.

1.Hans Raj Verma, I.A.S.,
The Government of Tamil Nadu,
represented by its
Principal Secretary to Governemnt,
Rural Development and Panchayat Raj Department,
Fort St.George, Chennai - 600 009.

2.K.Shanmugam,
The Principal Secretary to Government of Tamil Nadu,
Finance Department,
Fort St.George, Chennai - 600 009.



Order dated : 23.06.2022
Contempt Petition No.2452 of 2016

3.Meenakshi Rajagopal,
The Commissioner of Rural Development & Panchayat Raj,
Panagal Building, Saidapet, Chennai - 600 015.

4.Arul Goyal
The Principal Accountant General (A&E),
No.361, Anna Salai, Chennai - 600 018.

... Respondents

PRAYER: Contempt Petition filed u/s.11 of the Contempt of Courts Act, 1971,
praying to punish the respondents for committing contempt of court of the
order of this Court passed in W.P.No.2697 of 2014 dated 27.08.2014.

For Petitioners : Mrs.Y.Kavitha

For Respondents : Mr.R.Ramanlal, AAG, assisted by
Mr.L.S.M.Hasan Fizal, AGP [R1 to R3]
Mr.S.Mahesh for Mr.V.Vijayshankar [R4]

ORDER

This contempt petition has been filed to punish the respondents for
willful disobedience of the order of this Court passed in W.P.No.2697 of 2014
dated 27.08.2014.

2. The contempt petitioner is the Tamil Nadu Rural Development
Officials' Association represented by this State Vice President. This Court



Order dated : 23.06.2022
Contempt Petition No.2452 of 2016

passed an order on 27.08.2014, in which, it has been held as follows:

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"5. Following the same, these Writ Petitions are allowed and paragraph No.4(b) of G.O.Ms.No.77 Rural Development and Panchayat Raj (PA4) department dated 12.7.2013, stands quashed. The authorities concerned are directed to calculate and issue orders granting pension and other benefits, within a period of eight weeks from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petition is closed."

3. Learned counsel for the petitioner made a submission that the order passed by this Court has not been implemented in its entirety with reference to the members of the contempt petitioner association. The petitioner association consists of more than 1000 members.

4. Learned Additional Advocate General appearing on behalf of the respondents 1 to 3 made a submission that the petitioner association has not furnished the details and service particulars of the members of the association and in the absence of service particulars, the department is not in a position to consider the cases for grant of the benefit of counting of 50% service.

5. Learned counsel appearing on behalf of the fourth respondent made a



Order dated : 23.06.2022
Contempt Petition No.2452 of 2016

submission that unless proposal is submitted by the competent authority, the Principal Accountant General of Tamil Nadu would not be in a position to scrutinize the proposal for the purpose of grant of benefit.

6. The benefit of counting 50% of services is granted to the retired employees. Unless the service particulars and details are furnished by the petitioner association, the competent authority would not be in a position to submit proposal before the Principal Accountant General of Tamil Nadu for consideration. Admittedly, the petitioner association has not furnished details of all the members. Even the writ petition has been filed without enclosing the list of members, who are all the beneficiaries. Thus, the respondents may not be in a position to consider the individual cases for the purpose of extending the benefit. This is the reason why the Courts are repeatedly holding that with reference to the individual grievance, the aggrieved person must approach the Court of law for appropriate relief. Further, in the present case, learned counsel appearing for the petitioner admits that the benefit is extended to 193 members of the petitioner association. This being the factum, the aggrieved individual members of the petitioner association are at liberty to approach the competent authorities along with service particulars and the details for the purpose of



Order dated : 23.06.2022
Contempt Petition No.2452 of 2016

considering their case in accordance with the Government orders and the orders of the Court. However, no contempt petition needs to be entertained in respect of such grievances as the petitioner association is not in a position to furnish the particulars of the individual members.

Accordingly, this contempt petition stand closed.

23.06.2022

Index : Yes / No
Speaking / Non Speaking order
gm

S.M.SUBRAMANIAM., J



WEB COPY



Order dated : 23.06.2022
Contempt Petition No.2452 of 2016

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Contempt Petition No.2452 of 2016

23.06.2022