



WEB COPY

Cont.P.No.1021 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2022

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI, CHIEF JUSTICE
AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Contempt Petition No.1021 OF 2017

M.Appavu, Ex.M.L.A.,
14/90 A, Main Road,
Lebbaikudiyiruppu,
Mahendragiri PO 627 133
Radhapuram Taluk,
Tirunelveli District.

.. Petitioner

Vs

1.Dr.Girija Vaidyanathan IAS,
Chief Secretary to Government of Tamil Nadu,
Fort St. George,
Chennai-600 009.

2.S.K.Prabakar IAS,
Secretary to Government of Tamil Nadu,
Public Works Department,
Fort St. George,
Chennai-600 009.

3.Er.S.Dinakaran,
Chief Engineer,
Public Works Department,
Chepauk, Chennai-600 005.

4.Er.H.Asai Thambi,
Superintending Engineer,
Public Works Department - Projects,
Palayamkottai,
Tirunelveli.



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5.Ajay Narayan Jha IAS,
Secretary to Government of India,
Ministry of Environment and Forest,
Government of India,
New Delhi.

6.Dr.Amarjit Singh IAS,
Secretary to Government of India,
Ministry of Irrigation and Water Resources,
Government of India,
New Delhi.

.. Respondents

Prayer : Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondents for willful disobedience and violation of the order dated 24.07.2015 made in W.P.No.22881 of 2014.

For the Petitioner : Mr.A.E.Ravi Chandran

For the Respondents : Mr.P.Kumaresan
Addl. Advocate General
assisted by
Mr.M.Venkateswaran
Spl. Government Pleader
for Respondent Nos.1 to 4

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

This contempt petition has been filed alleging non-compliance of the order dated 24.07.2015 passed in W.P.No.22881 of 2014.

2. It is alleged that the Bar Chart has not been followed by the respondents despite directions. Thus, a contempt is made out.



3. We have considered the submission of learned counsel for the petitioner and find that no specific direction was given to maintain the Bar Chart. For ready reference, the order sought to be complied is quoted hereinunder:

"On perusal of the affidavit filed, it is found that in respect of stage 1(d) of the Bar Chart, a formal letter has to be communicated to the State Government, whereafter, the proposal from the State Government will go to the Planning Commission, which we expect to be examined expeditiously. This order be brought to the notice of the Planning Commission.

2. We are of the view that no further directions are required or the matter monitored so long as Bar Chart is adhered to. In case there is any deviation, the party concerned is mandated to approach this Court seeking extension of time."

4. Paragraph 2 of the order shows that no direction was required, as the matter was to be taken up by the Planning Commission expeditiously. However, in case of any deviation, the party concerned was mandated to approach this court seeking extension of time. Thus, there is no direction to effectively maintain the time given in the Bar Chart. Rather, for that the observation is no directions are required, nor the matter is required to be



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monitored so long as Bar Chart is adhered to.

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5. In the light of the above, we do not find a case of contempt.

However, if the petitioner is aggrieved of the non-maintenance of the Bar Chart, can take the remedy afresh and the closure of the contempt petition would not come in the way.

6. With the above observation, the contempt petition is closed. The notices of contempt are discharged.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

bbr

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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GS/30/05/2022

To

1.The Chief Secretary to Government of Tamil Nadu,
Fort St. George,
Chennai-600 009.

2.The Secretary to Government of Tamil Nadu,
Public Works Department,
Fort St. George,
Chennai-600 009.

3.The Chief Engineer,
Public Works Department,
Chennai-600 005.

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- 4.The Superintending Engineer,
Public Works Department - Projects,
Palayamkottai,
Tirunelveli.
- 5.The Secretary to Government of India,
Ministry of Environment and Forest,
Government of India,
New Delhi.
- 6.The Secretary to Government of India,
Ministry of Irrigation and Water Resources,
Government of India,
New Delhi.