



WEB COPY



Cont. Petn. No.701 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.07.2023

CORAM:
THE HON'BLE MR. JUSTICE S. VAIDYANATHAN
AND
THE HON'BLE MR. JUSTICE SENTHILKUMAR RAMAMOORTHY
Contempt Petition No.701 of 2022

T. Samikannu

Petitioner

v

1 Dr. T. Sathyamoorthy, I.A.S.
Principal Secretary
Government of Tamil Nadu
Agriculture Department
Fort St. George, Chennai 600 009

2 Mr. Annadurai, Director
Agriculture Department
Chepauk, Chennai 600 005

3 Mr. M.R. Jagannathan
Deputy Director of Agriculture
(Enquiry Officer)
Agriculture Department
Chepauk, Chennai 600 005

4 Ms. Dhivyadarshini, District Collector
Dharmapuri District, Dharmapuri

5 Mr. Mohan Sahayaraji
Assistant Director of Agriculture
Harur Block
Dharmapuri District

Respondents



Cont. Petn. No.701 of 2022

Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, seeking to punish the respondents for wilful disobedience of the order dated 01.03.2021 passed in W.P. No.24452 of 2019.

For petitioner Mr. C. Prabakaran

For respondents Mr. S. John J. Raja Singh
Additional Government Pleader

ORDER

This contempt petition has been preferred seeking to punish the respondents for the alleged noncompliance of the order dated 01.03.2021 passed in W.P. No.24452 of 2019.

2 Pursuant to the aforesaid order dated 01.03.2021 passed by this Court, disciplinary action has been initiated and punishment has been imposed on the delinquents, as could be seen from the affidavit dated 25.07.2023 filed by the fifth respondent.

3 Though it has been brought to our notice that for the charge of misappropriation, only a minor punishment, viz., stoppage of increment for one year / six months without cumulative effect has been imposed, albeit the fact that proceedings were initiated under Rule 17(b) of the Tamil Nadu



Cont. Petn. No.701 of 2022

Civil Services (Discipline and Appeal) Rules, we are afraid, in the contempt jurisdiction, we cannot delve into beyond the scope of the order, alleging noncompliance of which, this contempt petition has been filed. However, this Court is constrained to record here that by imposing a minor punishment for misappropriation, the respondents are only encouraging corruption, which is really unfortunate.

4 Be it noted, in the order dated 01.03.2021, this Court had disposed of W.P. No.24452 of 2019 on the ground that it is satisfied that appropriate steps have been taken and departmental action is about to follow.

5 As stated in paragraph 3, *supra*, when punishment has been inflicted on the delinquents, the petitioner can, no longer, have any grievance in this contempt petition *qua* the quantum of punishment. If the petitioner is aggrieved by the lesser punishment imposed on the delinquents, it is open to him to question the same in the manner known to law.



WEB COPY



Cont. Petn. No.701 of 2022

S. VAIDYANATHAN, J.
and
SENTHILKUMAR RAMAMOORTHY, J.

cad

With the above observations, this contempt petition stands closed.

(S.V.N., J.) (S.K.R., J.)
25.07.2023

cad

Contempt Petition No.701 of 2022



WEB COPY



Cont. Petn. No.701 of 2022