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Cont.P.No.2234 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2023

CORAM:

THE HON'BLE Mrs.JUSTICE **V.BHAVANI SUBBAROYAN**

Contempt Petition No.2234 of 2023

M.Selva Micheal

... Petitioner

Vs.

1. K.Manivasan
Secretary,
Public Works Department,
Fort St. George, Chennai – 9

2. R.Viswanath
Chief Engineer (General)
and Engineer in Chief W.R.O.,
Chepauk, Chennai – 5

3. Annadurai
Executive Engineer WRO / PWD
Public Works Department,
Cittraru Basin Division,
Tenkasi, Tirunelveli District

... Respondents

Contempt Petition filed under Section 11 of the Contempt of Courts Act to punish the respondent for disobedience of the orders of this Court passed in W.P.No.27801 of 2017 dated 02.01.2018.

For Petitioner : Mr.J.Milton Arul Rajendran

For Respondents : Mr.L.S.M.Hasan Fizal
Additional Government Pleader



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ORDER

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The present Contempt Petition has been filed to punish the respondents for disobedience of the orders of this Court passed in W.P.No.27801 of 2017 dated 02.01.2018.

2. The learned counsel for the petitioner is present.

3. The learned Additional Government Pleader appearing for the respondents would submit that as against the order passed in W.P.No.27801 of 2017 dated 02.01.2018, the respondents have preferred W.A.No.1325 of 2018 and by Judgment dated 02.07.2018, the Hon'ble Division Bench of this Court directed the petitioner herein to submit the particulars substantiating his case. The petitioner submitted his particulars by way of a representation dated 27.07.2018 and the said representation was considered and rejected by the authorities by way of Lr.No.S.4(1)/23204/2017 dated 23.08.2018, wherein the same was served to the petitioner as early as on 06.09.2018, hence pleaded that the present contempt petition will not lie.

4. Considering the fact that as against the order passed in W.P.No.27801 of 2017 dated 02.01.2018, the respondents have preferred W.A.No.1325 of 2018 and by Judgment dated 02.07.2018, the Hon'ble



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Division Bench of this Court directed the petitioner herein to submit the particulars substantiating his case and taking note of the fact that the representation of the petitioner dated 27.07.2018 was considered and rejected by the authorities by way of Lr.No.S.4(1)/23204/2017 dated 23.08.2018, wherein the same was duly served on the petitioner as early as on 06.09.2018 and coupled with the fact that under Section 20 of the Contempt of Courts Act of 1971, the Limitation period for actions of contempt, is a period of one year from the date on which the contempt is alleged to have been committed, the present Contempt Petition, which is filed in the year 2023 for the alleged contempt of action committed in the year 2018, does not arise and the present Petition is liable to be dismissed.

Accordingly, the present Contempt Petition is dismissed.

17.11.2023

Index:Yes/No
Internet:Yes/No
Speaking / Nonspeaking order
ssd

To

1. K.Manivasan
Secretary, Public Works Department,
Fort St. George, Chennai – 9
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and Engineer in Chief W.R.O.,
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V.BHAVANI SUBBAROYAN J.

ssd

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