



Cont.P.(MD).No.21 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **10.02.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

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Shanmugam

.. Petitioner/Petitioner

Vs.

Mr.Peter,
Inspector of Police,
Vigilance and Anti-Corruption Department,
Pudukkottai District.

.. Contemnor/2nd Respondent

PRAYER: Contempt Petition is filed under Section 11 of the Contempt of Courts Act, against the respondent herein for his wilful disobedience to comply the order passed by this Court in Crl.O.P.(MD).No.11301 of 2022, dated 21.09.2022 and punish him accordingly.

For Petitioner : Mr.N.Jeyaram Sidharth

For Respondent : Mr.S.Ravi

Additional Public Prosecutor

ORDER

This petition has been filed to punish the Contemnor/Respondent for the wilful disobedience of the orders of this Court passed in Crl.O.P. (MD).No.11301 of 2022, dated 21.09.2022.



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2.The facts in brief:

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The petitioner filed Crl.O.P.(MD).No.2133 of 2019, before this Court seeking direction to conduct investigation based upon the complaint that was made against one Mr.Gurumani, who was working as Assistant Director of Horticulture, Pudukkottai, who is shown as first accused in Crime No.7 of 2019, that petition was disposed of by this Court on 26.02.2019, directing the first respondent to take decision within a period two months. Subsequently, FIR was registered in Crime No.7 of 2019 under Section 13(2) & 13(e) of the Prevention of Corruption Act. Even after that the investigation was not completed. So again, he filed Crl.O.P. (MD).No.11301 of 2022, for a direction to file the final report. That was also allowed by this Court by directing the first respondent to complete the investigation and file the final report within a period of two months. But, the above said order was not complied by the Contemnor. Noting that there was willful disobedience on the part of the Contemnor, this contempt petition has been filed.

3.When Crl.O.P.(MD).No.11301 of 2022 was taken up for hearing on 21.09.2022, on behalf of the first respondent it was submitted that the investigation has been completed and final report has also been made ready and now, it is pending before the Director Office for getting final approval.



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After getting the final approval, final report will be filed and for that purpose, they sought two months time and was also granted.

4. When this matter was taken up for hearing, the learned Additional Public Prosecutor has submitted that report was submitted to the Director of Vigilance and Anticorruption Department, which, in turn was submitted to the Government. The Director of Vigilance and Anticorruption Department informed the Government that the disproportionate assets is only 19%. So, it recommended for the Tribunal for taking Disciplinary Proceedings against the above said Gurumani. But, however, the Government has recommended it to the Agricultural and Farmers Welfare Department to take Departmental Disciplinary action. This is dated 16.12.2022. Now the learned Additional Public Prosecutor would submitted that in view of the above said development, duty assigned to the first and second respondents was duly performed and they have also filed the report.

5. Since the Government has taken a decision, the contempt petition itself become infructuous and will not lie. In view of the above said development, nothing survives in this petition for further consideration or direction, since absolutely, there was no wilful disobedience on the part of the respondent herein in violating the direction of this Court. The



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submissions made by the learned Additional Public Prosecutor and the order that has been passed by the Government are placed on record.

6.This contempt petition deserves to be dismissed. Accordingly,
dismissed.

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Index : Yes/No
Internet : Yes/No
TM

To

1.Mr.Peter,
Inspector of Police,
Vigilance and Anti-Corruption Department,
Pudukkottai District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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