



Cont. P(MD)No.2101 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.11.2023

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

Cont. P(MD)No.2101 of 2023

in

W.P(MD)No.14083 of 2022

Alliraja

... Petitioner

Vs.

K.Vijayendra Pandian,
The Principal Secretary / Commissioner of
Treasuries and Accounts,
State Level Empowered Committee,
Office of the Directorate of Treasuries and Accounts,
3rd Floor, Integrated Office Complex for Finance Department,
Veterinary Hospital Campus,
Anna Salai,
Nandhanam,
Chennai-600 035.

... Respondent

Prayer : Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, to punish the contemnor/respondent for the deliberate and wilful disobedience of the order, dated 29.08.2022 passed by this Court in W.P(MD)No.14083 of 2022.



Cont. P(MD)No.2101 of 2023

For Petitioner : Mr.A.Rajaram

For Respondent : Mr.T.Villavan Kothai
Additional Government Pleader

ORDER

The present contempt petition has been filed alleging violation of the order of this Court, dated 29.08.2022 made in W.P(MD)No.14083 of 2022.

2. The said writ petition was filed seeking a Mandamus to direct the respondents 1 to 5 therein to sanction the medical reimbursement for the balance amount. This Court by an order, dated 29.08.2022 had arrived at a finding that the Insurance Company had reimbursed the amount based upon the District Level Empowerment Committee's [DLEC's] recommendations. Therefore, this Court has directed the writ petitioner to file an appeal within a period of two weeks before the State Level Empowerment Committee from the date of receipt of a copy of the order. Paragraph No.5 of the contempt petition clearly shows that the petitioner has not filed any appeal before the State Level Empowerment Committee within a period of two weeks from the date of receipt of copy of that order. However, he has chosen to send a contempt notice to the contemnor herein on 27.02.2023 and has filed the present contempt petition.



Cont. P(MD)No.2101 of 2023

WEB COPY

3. The trajectory of events narrated above will clearly establish that the petitioner has not filed any appeal before the State Level Empowerment Committee. Now the learned Counsel appearing for the petitioner has brought to the notice of the Court that on 12.10.2022 an appeal was presented before the State Level Empowerment Committee. However, there is no averment in the contempt petition or there are no records to indicate that the appeal was presented on 12.10.2022. However, it could be seen that it has been sent by post only on 24.11.2023 after filing of the contempt petition.

4. In view of the above said facts, this contempt petition stands dismissed. However, the contemnor is directed to consider the said appeal on merits and in accordance with law and pass orders as expeditiously as possible.

27.11.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR



Cont. P(MD)No.2101 of 2023

WEB COPY

To
The Principal Secretary / Commissioner of
Treasuries and Accounts,
State Level Empowered Committee,
Office of the Directorate of Treasuries and Accounts,
3rd Floor, Integrated Office Complex for Finance Department,
Veterinary Hospital Campus,
Anna Salai,
Nandhanam,
Chennai-600 035.



WEB COPY



Cont. P(MD)No.2101 of 2023

R.VIJAYAKUMAR, J.

BTR

Cont. P(MD)No.2101 of 2023

27.11.2023