



Cont.P. No. 859 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.08.2024

CORAM

THE HONOURABLE MR. JUSTICE MUMMINENI SUDHEER KUMAR

Cont.P. No.859 of 2024

N.Sivaprakasam

.. Petitioner

Vs.

1.Mr.Gagandeep Singh Bedi, IAS
Secretary to Government
Health and Family Welfare Department
Secretariat, Fort, St.George
Chennai – 600 009.

2.T.C.Selvavinayagam
Director of Public Health and
Preventive Medicine, DMS compound,
359, Anna Salai,
Teynampet, Chennai – 600 006.

.. Respondents

Prayer: Contempt petition filed under Section 11 of Contempt of Court Act, 1971, to punish the Respondents for wilful disobedience of the order dated 12.10.2007 passed by this Hon'ble Court in W.P.No.33098 of 2007 on the file of this Hon'ble Court.

For Petitioner : Mr.R.Ezhilarasan

For Respondents : Mr.K.Tippu Sultan
Government Advocate.



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ORDER

This contempt petition has been filed alleging violation of the order dated 12.10.2007 passed in W.P.No.33098 of 2007.

2. In response to the notice issued by this Court, Mr.K.Tippu Sultan, learned Government Advocate placed before this Court proceedings bearing R.No: 076635/MP1/S3/2020 dated 31.12.2020 issued by the 2nd respondent purported to be in compliance with the order passed by this Court in W.P.No.33098 of 2007 dated 12.10.2007. Yet another proceedings dated 16.03.2021 is also placed before this Court issued by Deputy Director of Health Services, Paramakkudi, wherein, the monetary benefits that were payable to the petitioner in terms of the proceedings dated 31.12.2020 were calculated and a copy of the same is also acknowledged by the petitioner on 18.03.2021. According to the learned counsel for the respondents, the petitioner was paid all the amounts in terms of the proceedings dated 16.03.2021.

3. However, the present contempt petition has been filed without making any reference to the proceedings dated 31.12.2020 or the proceedings dated 16.03.2021. On being served the proceedings, the



learned counsel for the petitioner contended that these orders are not in strict compliance with the order dated 12.10.2007 passed by this Court.

4. Be that as it may, the petitioner having received a copy of the proceedings dated 16.03.2021 and the benefits thereunder have chosen not to disclose about the said proceedings while filing the present contempt petition. Further, the present contempt petition is filed alleging violation of the order dated 12.10.2007 passed by this Court i.e. after a lapse of about 17 years. Even according to the learned counsel for the petitioner and as seen from the affidavit filed in support of the contempt petition, the said order has attained finality as early as in the year 2018.

5. When the clarification petition said to have been filed by the respondents was dismissed by the Hon'ble Apex Court, even taking from the said date, the contempt petition is filed even after six years, suppressing about the proceedings dated 16.03.2021 issued by the Deputy Director of Health Services.



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6. In the circumstances, this Court is not inclined to entertain this contempt petition and accordingly, the contempt petition is dismissed. In case, if the petitioner is aggrieved by the proceedings dated 16.03.2021 or proceedings dated 31.12.2020, it is open for the petitioner to take appropriate steps in accordance with law.

30.08.2024

Index : Yes / No

Internet : Yes / No

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