



WEB COPY

Cont.P.No.2125 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.12.2024

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

Cont.P.No.2125 of 2024

A.G.Subramanian

.. Petitioner

VS

Ms.P.Amudha, IAS,
Home Secretary and Additional Chief Secretary,
Home, Prohibition & Excise Department
Government of Tamil Nadu
Fort St. George, Chennai-600 009.

..Respondent

Petition filed under Section 11 of the Contempt of Courts Act, 1971
to punish the respondent under the Contempt of Courts Act, 1971 for
wilful disobedience and non-compliance of the order of this Court dated
14.06.2023 in W.P.No.13488 of 2005.

For Petitioner : Ms.B.Poongkhulali

For Respondent : Mr.Suresh Kumar,
Additional Advocate General
assisted by
Mr.K.Tippu Sultan
Government Advocate



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ORDER

Read this order in continuation of and in conjunction with various earlier orders.

2.The order passed originally was two fold. The first limb related to the deposit of the compensation ordered and granted permission to the contempt petitioner to withdraw a portion thereof. There has been full compliance of this aspect of a matter.

3.That apart, in the Writ Appeal (WA.No.2707 of 2024) filed by the State, the Division Bench has passed an order on 09.09.2024 recording the position that 50% of the amount has been withdrawn by the contempt petitioner and granting a stay of withdrawal of the balance 50%.

4.In fact, even under order dated 07.08.2024 passed in this contempt petition, the petitioner had been permitted to withdraw only a sum of Rs.10,90,000/- being 50% of the compensation with interest. I record compliance on this aspect.

5.As regards the second aspect relating to enquiry, charges were framed on 14.09.2024 and the on-going disciplinary action was recorded in the previous orders. Today, affidavit of compliance dated 19.12.2024 is filed accompanied by an Implementation Order and 'F' Order both dated



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27.11.2024.

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6.The charges have been held as proved and punishment imposed under Section 3(b) of the TNPSS (Discipline and Appeal) Rules, 1955 as follows:

'(i) Tr.K.Kalyana Kumar, Inspector of Police, N.4 Fishing Harbour Crime P.S. formerly R.7 K.K.Nagar L&O P.S. Greater Chennai Police was dealt with on a charge u/r. 3(b) of TNPSS (D&A) Rules, 1955 in PR No.110/PR.N1(2)/2024 (PR.26/PR.II(S)/2024) and awarded a punishment of "Postponement of Increment for one year with cumulative effect" by the Joint Commissioner of Police, North Zone, Greater Chennai Police, dated 27.11.2024.

(ii) Tr.S.Velayutham, Sub-Inspector of police, now working in Intelligence Section, GCP, Chennai (Formerly served in R.7 K.K.Nagar L&O PS South Zone) was dealt with on a charge u/r 3(b) of TNPSS (D&A) Rules, 1955 in P.R.No.111/PR.N.1(2)/2024, (PR No.27/PR.II(S)/ 2024) of South Zone PR and awarded punishment of "CENSURE" by the Joint Commissioner of Police, North Zone, Greater Chennai Police, Chennai, on 27.11.2024.'

7. Learned counsel for the contempt petitioner would express her dissatisfaction with the quantum of punishment imposed, particularly, in a situation where the charges have been held to be fully proved. She would indicate that the contempt petitioner is contemplating a challenge to the same and liberty is always available to him in this regard.



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8.To be noted that the proceedings for disciplinary action that has culminated in the punishment have their genesis in the writ petition filed by the contempt petitioner and, in a manner of speaking, it can be said that he is the complainant in the matter.

9.Recording the aforesaid position, this contempt petition is closed.

No costs.

20.12.2024

Index:Yes

Speaking order

Neutral Citation:Yes

vs

To

Ms.P.Amudha, IAS,
Home Secretary and Additional Chief Secretary,
Home, Prohibition & Excise Department
Government of Tamil Nadu
Fort St. George, Chennai-600 009.



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