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Contempt Petition No. 2082 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.10.2024

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

Contempt Petition No. 2082 of 2023

D. Balasundaram

... Petitioner

Vs.

1.Kumar Jayant, I.A.S.,
State of Tamil Nadu,
Principal Secretary to Government,
Revenue Department,
Secretariat, Chennai – 600 009.

2.S.K. Prabakar, I.A.S.,
The Special Commissioner and Commissioner of
Revenue Administration,
Chepauk, Chennai – 600 005.

3.M.N. Poongodi, I.A.S.,
The District Collector,
Dindigul District.

... Respondents

Contempt Petition is filed under Section 11 of the Contempt of Courts Act, to punish the respondents for committing contempt of Court for wilfully and deliberately disobeying the order passed by this Court dated 28.04.2022 in W.P. No. 3845 of 2018 in the interest of justice.

For Petitioner : Mr. V. Ragupathy

For Respondents : Mr. J. Ravindran, Senior Counsel
Asst., by Mr. S.J. Mohamed Sathik,
Government Advocate



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ORDER

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This Contempt Petition has been filed complaining wilful disobedience by the respondents in implementing the order dated 28.04.2022 in W.P. No. 3845 of 2018.

2. On 15.10.2024, when this case was heard, Mr. J. Ravindran, learned Senior Counsel appearing for the respondents sought time to comply the order. Accordingly, it is adjourned to today.

3. During the course of hearing today, the learned Senior Counsel submits that the order of the Court is complied with, by issuing G.O.(Ms) No. 446, Revenue and Disaster Management [Ser.7(1)] Department, dated 23.10.2024. A copy of the said G.O., has been placed before the Court.

4. On perusal of the same, it appears that the Government decided to comply with the order of the Court dated 28.04.2022 in the writ petition to grant monetary benefits from the date of regularisation subject to the outcome of the writ appeals.



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5. Learned counsel for the petitioner submits that, by issuing the said G.O., though the order of the Court is complied with, but no time limit is fixed in the said G.O., to pay the monetary benefits.

6. Having considered the facts and circumstances of the case and the submissions of the respective counsel, in the considered opinion of this Court, by issuing G.O.(Ms) No. 446 dated 23.10.2024, the order of the Court is complied with by the respondents. Accordingly, in our considered view, no further adjudication is required in the present contempt case.

7. Accordingly, this Contempt Petition is closed.

8. However, considering the submissions of the learned counsel for the petitioner that, to pay the monetary benefits, no time is specified in the G.O.(Ms) No. 446 dated 23.10.2024, this Court is of the view that the respondents will take consequential action to execute the G.O.(Ms) No. 446 dated 23.10.2024 as expeditiously as possible. If it is not done within the reasonable time, the petitioner is always at liberty to seek for reopen



the contempt.

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9. This Court is placing the appreciation on record towards the steps taken by Mr. J. Ravindran, learned Senior Counsel and his colleagues viz., Mr. S.J. Mohamed Sathik, Mr. M. Alagu Gowtham and Ms. V. Yamuna Devi to persuade the State Government to comply the order.

24.10.2024

Index :Yes/No

Neutral Citation: Yes/No

AT

Note: Issue order copy on 25.10.2024



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BATTU DEVANAND,J.

AT

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24.10.2024