

CONT P NO. 507 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **04-03-2025**

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CONTEMPT PETITION No. 507 of 2025

M.Deepa, D/o. Mani, No. 194/87, Main Road, Thimmarajanpettai, Kanchipuram - 631501

Petitioner(s)

Vs

1.Mrs.N.Jeevarani

Deputy Director (Agricultural Marketing), JDA Office Complex, Panjupettai, Kanchipuram - 631502.

2.Mr.R.Seeniraj, Deputy Director (Agricultural Marketing), Agricultural Marketing and Agri Business, Ranipet District. Contemnors(s)

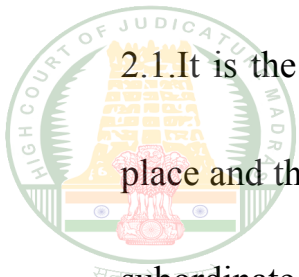
This contempt petition has been filed under Section 11 of the Contempt of Courts Act to initiate contempt proceedings against the respondents for committing deliberate and wilful disobedience of the order passed by this Court in WMP No.14163 and 14164 of 2023 in W.P.No.14675 of 2023 dated 05.05.2023 and punish the respondents.

For Petitioner(s) : Mr.S.Parthasarathi

For Contemnors(s): Mr.M.Suresh Kumar, Additional Advocate General,
Assisted by Mr.Yogesh Kannadasan, Special Govt. Pleader

ORDER

This contempt petition has been filed to initiate contempt proceedings against the respondents for committing deliberate and wilful disobedience of the order passed by this Court in WMP No.14163 & 14164 of 2023 in W.P.No.14675 of 2023 dated 05.05.2023 and punish the respondents.



2.1.It is the case of the petitioner that she is a victim of sexual harassment in

place and that she had given a complaint against her Superior Officer and also against the

subordinate. The erstwhile Joint Director(Regulated Market), Directorate of Agricultural

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Marketing and Agri Business, Guindy, Chennai, had constituted an Internal Complaint Committee and had also appointed an Enquiry Officer for conducting enquiry without following the procedures under Section 4 of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

2.2.The petitioner being aggrieved by the enquiry conducted by the Internal Complaint Committee, had filed W.P.No.14675 of 2023 to declare the enquiry proceedings conducted by the second respondent as illegal and void ab initio and to direct the first respondent to constitute an Internal Complaint Committee under Section 4 of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and had also sought for an interim stay of all further proceedings of the enquiry. Pending enquiry, the petitioner was transferred by the second respondent vide proceedings dated 28.04.2023 from the office of the fifth respondent viz.,The Assistant Agricultural Officer, O/o Deputy Director of Agriculture, Department of Agricultural Marketing and Agri Business, JDA Office Complex, Panjupettai, Kanchipuram to the office of the Deputy Director (Agricultural Marketing), Tiruvallur as Agriculture Officer at Ponneri.



Challenging the said transfer order, the petitioner had filed W.P.No.15261 of 20

for the records connected with the impugned order passed by the second respondent in

Se.Mu.Aa.No.ThoNiPi3/9295/2023-1 dated 28.04.2023 insofar as transferring the

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services of the petitioner from the fifth respondent office to the office of the Deputy Director (Agricultural Marketing), Tiruvallur as Agriculture Officer at Ponneri and quash the same. This Court, by an order dated 05.05.2023 in WMP Nos.14163 and 14164 of 2023 in W.P.No.14675 of 2023, had granted interim stay of further enquiry proceedings.

It is the further grievance of the petitioner that despite the order of stay, the second respondent, by proceedings dated 16.08.2024, had directed the petitioner to appear for enquiry and had conducted enquiry on the very same complaint dated 12.04.2022, which is violation of the interim order passed by this Court.

2.3.Subsequently, W.P.Nos.15261 and 14675 of 2023 have been allowed on 22.07.2024 and as far as W.P.No.15261 of 2023 is concerned, this Court had observed that pending enquiry, as the petitioner was transferred by the second respondent vide proceedings dated 28.04.2023 from the office of the fifth respondent viz.,The Assistant Agricultural Officer, O/o Deputy Director of Agriculture, Department of Agricultural Marketing and Agri Business, JDA Office Complex, Panjupettai, Kanchipuram to the office of the Deputy Director (Agricultural Marketing), Tiruvallur as Agriculture Officer at Ponneri,



and the second respondent had conducted enquiry without constituting a com

contemplated under Section 7 of the said Act, the enquiry proceedings of the second

respondent cannot bind the petitioner and quashed the said proceedings and had also

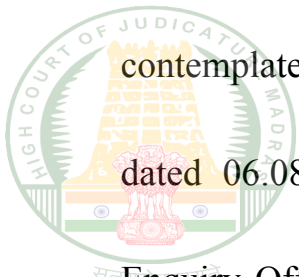
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issued direction in W.P.No.14675 of 2023 to the first respondent to constitute a Local Committee as contemplated under Section 7 of the Act in accordance with law within a period of two weeks and the committee shall complete the enquiry proceedings within a period of six weeks thereafter.

2.4.Pursuant to the said order, instead of constituting a Local Committee, the second respondent had conducted an enquiry on 16.08.2024, which is not only violation of interim order passed by this Court on 05.05.2023 in W.P.No.14675 of 2023 in WMP Nos.14163 and 14164 of 2023, but also the final order passed by this Court on 22.07.2024 in W.P. Nos.15261 and 14675 of 2023. Hence the above contempt petition.

3.Heard the learned counsel for the petitioner and the learned Additional Advocate General, assisted by Mr.Yogesh Kannadasan, learned Special Government Pleader appearing for the respondents and perused the materials available on record.

4.Learned counsel for the petitioner would submit that even after grant of interim stay by this Court vide order dated 05.05.2024 for conducting enquiry by the second respondent, the enquiry conducted by the second respondent is in violation of the procedures



contemplated. He would further submit that the second respondent, by comm

dated 06.08.2024, had appointed one Seeniraj, the second contemnor herein as an

Enquiry Officer and issued notice to the petitioner for enquiry and had also proceeded

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with enquiry, which is nothing but disobedience of the order passed, which amounts to contempt of court. Thereby, the learned counsel for the petitioner seeks to initiate contempt proceedings against the respondents.

5.Mr.M.Suresh Kumar, learned Additional Advocate General, assisted by Mr.Yogesh Kannadasan, learned Special Government Pleader appearing for the respondents, had produced a letter in No.அ/684/2024 dated 02.09.2024 sent by the second respondent to the Principal Secretary/Commissioner, Agricultural Marketing and Agri Business, Guindy, Chennai, and submitted that when the interim order passed by this Court dated 05.05.2023 and the final order dated 22.07.2024 was brought to the knowledge of the respondents, they had dropped all further proceedings and the enquiry has been discontinued. He would further submit that a legal notice letter cited in reference No.8 had been received from the petitioner, in which, it was informed that 'no enquiry report be submitted' and due to lack of communication, the respondents had initiated enquiry and after receipt of legal notice, they had stopped the enquiry and thereby, contempt petition may be closed.



6.The above submission is recorded and the contempt petition stands



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To

1.Deputy Director (Agricultural Marketing)
JDA Office Complex,
Panjupettai, Kanchipuram - 631502

2.Deputy Director (Agricultural Marketing)
Agricultural Marketing and Agri Business,
Ranipet District.

A.D.JAGADISH CHANDIRA,J.

raa



CONT. PETITION No. 507 of 2025



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