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Cont.P.No.2782 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2025

CORAM

THE HON'BLE MR. JUSTICE BATTU DEVANAND

Contempt Petition No.2782 of 2023

1. S.Emarose
2. D.Saroja

..Petitioners

Vs

1. Tmt.M.Krishnadevi,
The Project Officer,
O/o. The Integrated Child Development,
Project Officer, Division-10,
Guindy, Chennai 600032.
2. M/s.Chandrakala,
Commissioner,
O/o. Integrated Child Development,
Taramani,
Chennai 600 113.

..Respondents

***[Respondent No.2 is dismissed from this Contempt Petition
as per the order of this Court made in Cont.P.No.2782 of 2023
dated 18.11.2024]**

PRAYER : Petition filed under section 11 of the Contempt of Courts Act, to punish the respondents for having committed the act of contempt by wilfully, wantonly and deliberately disobeyed the order dated 01.02.2019 passed in WP.No.3024 of 2019 by this Court.



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For Petitioner : M/s.P.Pushpakaran
For Respondents : Mr.J.Raveendran,
Additional Advocate General,
Assisted by G.Ameedius, G.A.

ORDER

This Contempt Petition has been filed complaining disobedience of the respondents in implementing the order dated 01.02.2019 in W.P.No.3024 of 2019.

2. This Court while disposing of W.P.No.3024 of 2019 directed the respondents therein to consider the representation of the petitioner dated 28.09.2018 and pass appropriate orders on merits and in accordance with law after affording an opportunity of personal hearing to the petitioner within a period of eight weeks from the date of receipt of a copy of the order.

3. Admittedly, the copy of the said order was delivered on 01.03.2019. As per the time stipulated in the said order, the representation of the petitioner ought to have been disposed of by the first week of



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May 2019. Complaining wilful disobedience of the implementation of the order, the present Contempt Petition has been filed.

4. Mr.J.Raveendran, learned Additional Advocate General appearing for the respondent would submit that the order of the Court has been complied with by issuing proceedings in Na.Ka.No.72/a/2023, dated 20.01.2024 and hence, requested to close this Contempt Petition.

5. On perusal of the materials available on record, it appears that the order of the Court was complied with a delay of 4 years. Hence, the respondent was directed to file counter affidavit stating the reasons for the 4 years delay in implementing the order.

6. As per the direction of this Court, an affidavit has been filed stating some administrative reasons for the delay, which are not acceptable to this Court. It is seen that the first respondent joined the post of Project Officer, Integrated Child Development on 10.08.2023. In fact, at the relevant point of time, when the representation of the petitioner ought to have been



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disposed of in compliance of the order of this Court, the first respondent was not holding the said post. The concerned officer, who was holding the post, at the relevant point of time has not been impleaded as respondent.

7. Under these circumstances, for the aforesaid reason, this Court is of the considered opinion that there is no wilful disobedience on behalf of the respondent in implementing the order of the Court. Accordingly, this Contempt Petition is closed. It is open to the petitioner to challenge the proceedings dated 20.01.2024 issued by the Project Officer, Integrated Child Development before the appropriate Forum if so advised.

08.01.2025

pvs



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BATTU DEVANAND J.,

pvs

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