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Cont.P.No.2846 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.10.2025

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THE HON'BLE MR.JUSTICE M. NIRMAL KUMAR

Contempt Petition No.2846 of 2025

Kabilan Gandhi

... Petitioner

-Vs-

Abhay Kumar Singh, IPS.,
Director, Vigilance and Anti-Corruption,
No.293, MKN Road,
Alandur, Chennai – 600 016.

... Respondent

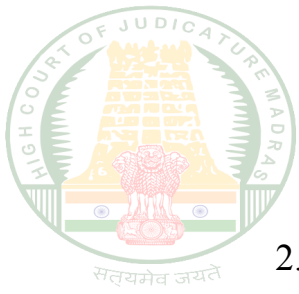
Prayer : Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 praying to punish the respondent herein for contempt of Court for willfully disrespect the order of this Court dated 03.03.2025 in W.P.No.2907 of 2025.

For Petitioner : Mr.S.Udhaya Kumar

For Respondent : Mr.Leonard Arul Joseph Selvam
Additional Public Prosecutor

ORDER

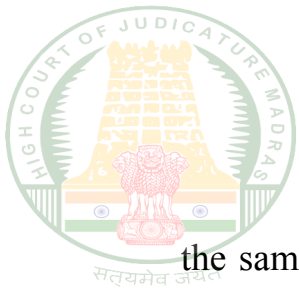
The contempt petition has been filed for non-compliance of the order passed by this Court in W.P.No.2907 of 2025 dated 03.03.2025.



Cont.P.No.2846 of 2025

2.The petitioner earlier filed W.P.No.2907 of 2025 seeking a direction to the Directorate of Vigilance and Anti-Corruption/first respondent therein to take action against the Assistant Director, Department of Fisheries/second respondent therein, on the complaint of the petitioner dated 10.09.2024. In the writ petition, the learned Government Advocate produced a copy of the communication dated 31.12.2024 and submitted that the complaint of the petitioner forwarded to the concerned authority seeking approval for conducting preliminary enquiry under Section 17(A)(1) of the Prevention of Corruption Act, 2018 ('PC Act'). This Court, recording the submission of the learned Government Advocate disposed of the writ petition on 03.03.2025 directing the respondent to take the case to its logical end. According to the petitioner, thereafter no action has been taken. Hence, pre-contempt notice dated 07.07.2025 issued to the first respondent. Thereafter too, no action has been taken. Hence, the above contempt petition is filed.

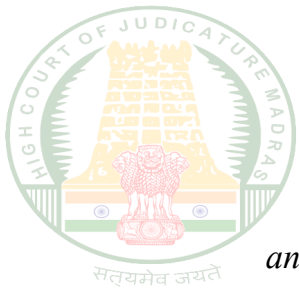
3.The learned Additional Public Prosecutor filed a status report on behalf of the first respondent, in which, the receipt of petitioner's complaint, forwarding to the appropriate authority seeking permission under Section 17(A) of PC Act narrated. It is seen that 17(A) approval was granted by the Director of Fisheries and Fishermen Welfare Department on 24.02.2025 and



Cont.P.No.2846 of 2025

the same was received by the respondent/Directorate of Vigilance and Anti-Corruption on 03.03.2025 and following the same, a preliminary enquiry was registered in PE 37/2025/FISH/CC-III on 02.04.2025 and taken up for enquiry. During enquiry, a letter was addressed to the Joint Director of Fisheries on 08.05.2025 seeking some documents. The Investigating Officer met the officials of Joint Director of Fisheries and Fishermen Welfare Department in person on 16.05.2025 and 27.05.2025. On 25.06.2025 and 15.07.2025 again reminders sent. The Assistant Director of Fisheries, Neelankarai furnished the documents on 28.07.2025. In the meanwhile, the present contempt petition filed on 06.08.2025. It would be appropriate to extract paragraphs 8 and 9 of the status report:

“8) It is respectfully submitted that during the enquiry, it is found that the nominated representatives appointed by the village panchayat officials of the respective fishermen villages are collecting sales exempted diesel from designated outlet as per the instructions issued by the Commissioner of Fisheries and Fishermen Welfare Department, Chennai. It is respectfully submitted that diesel is credited to the fishermen's smart card with a monthly quota of 350 litres. It is further submitted that any unutilised quota lapses at the end of the month, and a fresh quota of 350 litres is credited to the fishermen's smart card in the succeeding month. It is respectfully submitted that, in the course of this Preliminary Enquiry, 40 witnesses have been examined and 44 documents have been collected



Cont.P.No.2846 of 2025

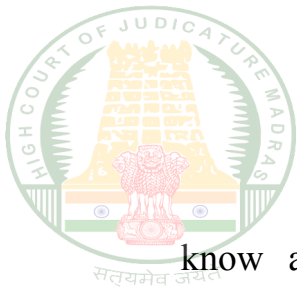
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and placed on record. The enquiry is now at its concluding stage, with a few documents yet to be scrutinized for its finalization.

9) It is further respectfully submitted that the complainant Thiru.Kapilan Gandhi and his associates were using banned fishing gears such as purse seine and ring seine within the territorial waters against the Hon'ble Supreme Court interim order dated 24.01.2023 and they were caught by the fisheries department during which altercations happened among them in the deep sea. It is respectfully submitted that pursuant to the incident, based on the complaint of the Inspector of Fisheries Department, Neelankarai, a case was registered in Kanathur Police Station Cr. No. 124/2024 against the petitioner Thiru.Kapilan Gandhi and others. During the enquiry, it has been ascertained that the petitioner and his associates have been using banned fishing gears such as purse seine and ring seine within the territorial waters, in violation of the orders of the Hon'ble Supreme Court."

4.The learned counsel for petitioner submitted that the petitioner is not an accused in Crime No.124/2024. To project the petitioner as an offender with vengeance and motivation a complaint with such allegation is made.

5.The learned Additional Public Prosecutor strongly opposed the petitioner's contention submitting that petitioner is arrayed as A6 in Crime No.124/2024 and the case was registered on 05.04.2024. After coming to



Cont.P.No.2846 of 2025

know about the same, as a counter-blast, a complaint was given on 10.09.2024. This aspect is being investigated.

6.Considering the submissions made on either side and on perusal of the material, it is seen that the preliminary enquiry commenced and substantial progress made. The respondent is directed to complete the preliminary enquiry and take further action as per law. This Court finds that there is no laxity or disobedience of the orders of this Court.

7.Hence, the Contempt Petition is dismissed. The petitioner to be informed about the final outcome of the enquiry conducted.

15.10.2025

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Cont.P.No.2846 of 2025

M. NIRMAL KUMAR, J.

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Cont.P.No.2846 of 2025

15.10.2025