



Contempt Petition (MD)No.1469 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.07.2025

CORAM:

THE HONOURABLE **MR.JUSTICE SHAMIM AHMED**

Contempt Petition (MD)No.1469 of 2025

In

W.P.(MD)No.14842 of 2013

S.Natarajan,
S/o.V.Shanmugam Pillai,
3/95, Poosai Kinaru Street,
Kuruvikulam, Sankarankovil Taluk,
Tenkasi District.

...Petitioner/Petitioner

Vs

1.Mrs.P.Amudha, I.A.S.,
The Secretary to Government,
Revenue Department,
Secretariat, Chennai – 9.

2.The Principal Secretary cum Commissioner
For Revenue Administration,
Chepauk,
Chennai – 600 005.

3.The Senior Accounts Officer/pen 26,
O/o. The Principal Accountant General, (Accounts and Entitlements),
No.361, Anna Salai, Chennai – 16.
Tamil Nadu.

...Contemnors/Respondents

*(R-2 and R-3 are impleaded vide Court Order dated 07.07.2025 in
Contempt Petition (MD)No.1469 of 2025)*



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PRAYER: Contempt Petition is filed under Section 11 of Contempt of Courts Act, to punish the Contemnors/Respondents for willfully disobeying and not complying with the order passed by this Court in W.P.(MD)No.14842 of 2013, dated 25.10.2016.

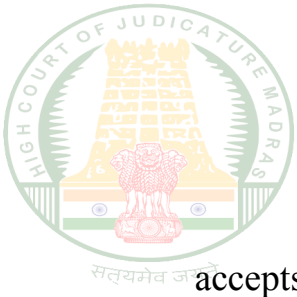
For Petitioner : Mr.A.Sheik Nasurdeen

For Respondents : Mr.M.Ajmal Khan
Additional Advocate General
Assisted by
Mr.F.Deepak
Special Government Pleader
(R-1 & R-2)
Mr.P.Gunasekaran
Standing Counsel
(R-3)

ORDER

This is a petition seeking initiation of contempt proceedings against the Respondents for violation of the order, dated 25.10.2016 passed by this Court in W.P.(MD)No.14842 of 2013.

2. Heard Mr.A.Sheik Nasurdeen, learned counsel appearing for the Petitioner, Mr.M.Ajmal Khan, learned Additional Advocate General Assisted by Mr.F.Deepak, learned Special Government Pleader who



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accepts notice on behalf of the Respondents 1 & 2 and Mr.P.Gunasekaran learned Standing Counsel who accepts notice on behalf of the 3rd Respondent. Therefore, no further notice is required to be issued to the Respondents.

3. When the matter was taken up on 07.07.2025, this Court passed the following order:

“Heard Mr.A.Sheik Nasurdeen, learned counsel appearing for the Petitioner and Mr.F.Deepak, learned Special Government Pleader accepts notice on behalf of the Respondents. Therefore, no further notice is required to be issued to the Respondents.

2. As prayed for by the learned counsel for the Petitioner, this Court directs the Petitioner to implead the Principal Secretary cum Commissioner, for Revenue Administration, Chepauk, Chennai – 600 005 as 2nd Respondent and the Senior Accounts Officer/pen 26, O/o. The Principal Accountant General, (Accounts and Entitlements), No.361, Anna Salai, Chennai – 16, Tamil Nadu, as the 3rd Respondent in this Writ Petition.

3. This Contempt Petition has been filed for non compliance of the judgment and order dated



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Contempt Petition (MD)No.1469 of 2025

25.10.2016 passed in W.P.(MD)No.14842 of 2013 and the learned Single Judge of the Writ Court allowed the said Writ Petition in the following terms:

“6.Considering the fact that the petitioner has put in total service of ten years, two months and seventeen days, the petitioner is entitled to get the minimum pension in the light of G.O.Ms.No.756, Revenue Department, dated 17.08.1993. Hence, the order of the third respondent refusing to grant the minimum pension to the petitioner is liable to be set aside.

7. Accordingly, I am inclined to pass the following orders:-

a) The Writ petition is allowed and the order of the third respondent in Pen 26/5/32604888/ RVN/12-13/ADKCL/67, dated 22.04.2013 is set aside.

b) The first respondent is directed to sanction minimum pension to the petitioner in the light of G.O.Ms.No.756, dated 17.08.2013 within a period of eight weeks from the date of receipt of a copy of this order. No costs.”

4. The learned counsel for the Petitioner submits that against the judgment and order passed by the Writ Court dated 25.10.2016 in W.P.(MD)No.14842 of 2013, the Respondents have preferred Writ Appeal bearing W.A.(MD)No.897 of 2018 which was dismissed by the Division Bench of this Court vide judgment and order dated 05.08.2024. The copy of the Appellate



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Contempt Petition (MD)No.1469 of 2025

Court order finds place at page no.76 of the paper book. For better appreciation, the relevant portion of the said judgment and order is reproduced hereunder:

“12. Therefore, viewed from any angle, we are of the considered opinion that there are no grounds to upset the order of the learned single Judge.

13. It must be pointed out that the petitioner, at a time, when the emoluments were minimum, had discharged noble service as Village Karnam and subsequently, as Village Administrative Officer. Such service should be appreciated.

14. We find no merits in the writ appeal. The writ appeal is dismissed. No costs. Consequently connected Miscellaneous Petitions are closed.”

Thus, the learned counsel for the Petitioner submits that the Respondents have not complied with the judgment and order of the Writ Court as well as the Appellate Court and they have wilfully and deliberately flouting the orders passed by both Courts.

5. Mr.F.Deepak, learned Special Government Pleader for the Respondents submits that against the judgment and order passed by the Appellate Court dated 05.08.2024 in W.A.(MD)No.897 of 2018, the Respondents filed Review Application in the month of February, 2025.



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Contempt Petition (MD)No.1469 of 2025

6. *When this Court posed the question to the learned Special Government Pleader General regarding whether any interim order had been passed by the Hon'ble Division Bench in the Review Application, he submits that no interim order has been passed in the Review Application and it has only been numbered.*

7. *The learned counsel for the Petitioner submits that this is a ploy adopted by the Respondents to frustrate the contempt proceedings and evade compliance with the judgment and order passed by the Writ Court dated 25.10.2016 in W.P.(MD)No.14842 of 2013 as well as the Appellate Court dated 05.08.2024 in W.A.(MD)No.897 of 2018. He submits that the Respondents cannot seek any indulgence or sympathy from this Court since no interim order has been passed in the Review Application. The Respondents' plea that the Review Application is filed to frustrate the purpose of the contempt proceedings appears to be an afterthought, as the Review Application is filed with a delay of more than 5 months. The learned counsel therefore submits that the Respondents failure to comply with the directions of the Writ Court amounts to wilful and deliberate disobedience, and the Respondents are in contempt. He requests that the*



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Contempt Petition (MD)No.1469 of 2025

Respondents may be summoned before this Court and punished for committing contempt under Sections 11 and 12 of the Contempt of Courts Act, 1971.

*8. The learned counsel for the Petitioner further submits that the Petitioner has been approaching the High Court since 2013 and was unnecessarily dragged into litigation, incurring huge expenditure on counsel fees. He also draws the attention of this Court to the judgment and order passed by the Division Bench of this Court in the case of **The District Educational Officer, Tenkasi, Tenkasi District vs S.Packia Ruby [W.A.(MD)No.1142 of 2023, dated 29.10.2024]**, wherein the Division Bench made the following observations:*

“3.We see no reason to interfere with the order of the Writ Court. The authorities will approve the appointment of the 1st respondent as Secondary Grade Teacher and also pay her salary and other attendant benefits with effect from the date of her appointment till date of payment within 12 weeks from the date of receipt of copy of this order. If the amount is not paid within 12 weeks, the authorities will pay 12% interest from the date of which the amount actually became due till the date of payment. No Costs. Consequently, connected miscellaneous petition is closed.”

The learned counsel for the Petitioner submits that, in line with the direction of the Division Bench, this Court should direct the Respondents to pay interest



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Contempt Petition (MD)No.1469 of 2025

at the rate of 12% per annum on the belated payment of arrears from the date the amount became due (i.e., the date of the Writ Court's order, 25.10.2016) till the actual payment is made, considering the delay caused by the Respondents.

9. This Court, after hearing the submissions made by the learned counsel for the parties and perusing the judgment and order passed by the Writ Court dated 25.10.2016 in W.P.(MD)No.14842 of 2013, as well as the Appellate Court dated 05.08.2024 in W.A.(MD)No. 897 of 2018, and considering the submissions made by the learned Special Government Pleader that a Review Application has been filed, is of the view that mere filing of a Review Application does not confer any benefit upon the Respondents, as no interim order was passed in the Review Application. It appears that the application was filed solely as a ploy to frustrate the judgment passed by both the Writ Court and the Appellate Court, as the Review Application was filed in February 2025. Therefore, this Court deems it necessary to initiate proceedings against the Respondents for their alleged non-compliance with the said orders.

10. At this juncture, Mr.F.Deepak, learned Special Government Pleader for the Respondents, requests time



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Contempt Petition (MD)No.1469 of 2025

to ensure compliance with the judgment and order passed by the Writ Court dated 25.10.2016 in W.P.(MD)No.14842 of 2013. He also assures this Court that whatever order is passed by this Court will be fully complied with and requests ten days time to ensure compliance with the said order. In this regard, he undertakes to file a compliance affidavit along with the decision taken by the Respondents on or before the next date fixed.

11. In view of the assurance made by the learned Special Government Pleader, this Court grants the Respondents a final opportunity to comply with the judgment and order of the Writ Court dated 21.02.2014 in W.P.(MD)No.14651 of 2012, as well as the Appellate Court dated 28.08.2018 in W.A.(MD)No.302 of 2018, without fail, within a period of ten days from today.

*12. In view of the judgment and order passed by the Division Bench of this Court in the case of **The District Educational Officer, Tenkasi, Tenkasi District vs S.Packia Ruby [W.A.(MD)No.1142 of 2023, dated 29.10.2024]**, this Court directs the Respondents to consider and pay 12% interest on the belated payment of arrears from the date of the Writ Court's order till*



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Contempt Petition (MD)No.1469 of 2025

the actual payment is made, considering the delay caused by the Respondents, since the Writ Court passed the order on 25.10.2016.

13. The Respondents are directed to communicate their decision to the Petitioner and file an affidavit of compliance on the next date fixed. Failure to comply with this order within the stipulated timeframe will require the Respondents to appear in person before this Court on the next date fixed to explain why the order of the Writ Court has not been complied with and therefore this Court will proceed to initiate the contempt proceedings against the Respondents.

*14. Put up this case on **21.07.2025** “For Further Orders” before this Court.*

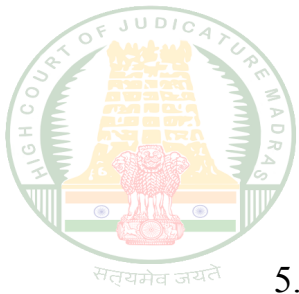
15. Let a copy of this order be given to Mr.F.Deepak, learned Special Government Pleader for its necessary compliance and information to the Respondents.

4. In compliance with the order dated 07.07.2025 passed by this Court in the present contempt petition, Mr.M.Ajmal Khan, learned Additional



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Advocate General assisted by Mr.F.Deepak, learned Special Government Pleader for the Respondents, produced a letter dated 18.07.2025 and the Government Order in G.O.(Ms)No.484, Revenue and Disaster Management [Ser.8(2)] Department dated 18.07.2025, passed by the 1st Respondent/Additional Chief Secretary to Government to District Collector, Tenkasi District along with the compliance affidavit and submits that the Respondents have complied with the orders passed by the Writ Court dated 25.10.2016 in W.P.(MD)No.14842 of 2013. The said fact has been stated in paragraph nos.6 & 7 of the compliance affidavit. He further submits that the monetary benefits due to the Petitioner will be paid within a period of six weeks from today, after completing other formalities. A copy of the said orders and the compliance affidavit has been taken on record and furnished to the learned counsel for the Petitioner. Thus, the Respondents have complied with the order of the Writ Court dated 25.10.2016 passed in W.P.(MD) No.14842 of 2013. Therefore, he prays that the Respondents may be discharged from the contempt proceedings and the present contempt petition may be disposed of accordingly.



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5. Mr.A.Sheif Nasurdeen, learned counsel appearing for the Petitioner, submits that he has received a copy of the letter as well as the Government Order dated 18.07.2025 along with the compliance affidavit and submits that the direction issued by the Writ Court vide judgment and order dated 25.10.2016 passed in W.P.(MD) No.14842 of 2013 has been complied with. However, in respect of monetary benefits, there is no mention in the order dated 18.07.2025. He further submits that, as assured by the Additional Advocate General, the monetary benefits are to be paid by the Respondents to the Petitioner within six weeks. He has no objection to the Respondents being discharged from the contempt proceedings at this stage, and the contempt petition may be disposed of accordingly.

6. Considering the submissions made by the learned counsel for the Petitioner and the learned Additional Advocate General for the Respondents, and upon perusal of the letter as well as the Government Order in G.O.(Ms)No.484, Revenue and Disaster Management [Ser.8(2)] Department dated 18.07.2025, this Court is satisfied that the Respondents have complied with the judgment and order of the Writ Court dated 25.10.2016 in W.P.(MD)No.14842 of 2013. The learned Additional



Contempt Petition (MD)No.1469 of 2025

WEB COPY

Advocate General has also assured that the monetary benefits will be disbursed in the account of the Petitioner within a period of six weeks from today. In view of this assurance, this Court deems it appropriate to drop the contempt proceedings. Accordingly, the Respondents are discharged from the contempt proceedings at this stage.

7. In view of the above, the Contempt Petition is **disposed of** at this stage with a direction to the Respondents to disburse the monetary benefits to the Petitioner within a period of six weeks from today, without fail. The file shall be consigned to the record. There shall be no order as to costs.

21.07.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr



Contempt Petition (MD)No.1469 of 2025

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Revenue Department,
Secretariat, Chennai – 9.
- 2.The Principal Secretary cum Commissioner
For Revenue Administration,
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Contempt Petition (MD)No.1469 of 2025

SHAMIM AHMED, J.

Nsr

Contempt Petition (MD)No.1469 of 2025

21.07.2025