

CONT.P.(MD)No.1561 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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DATED: 10.03.2025

CORAM:

THE HONOURABLE Mr.JUSTICE BATTU DEVANAND

CONT.P.(MD)No.1561 of 2024
in
WPMD) No.10406 of 2024

M.Kannan

... Petitioner

Vs

1.Mrs.Celin Kalaiselvi

The Schedule Caste and Schedule Tribes Welfare Officer,
O/o The Schedule Caste and Schedule Tribes Welfare Officer,
Madurai District.

2.Mr.B.K.Arvind, I.P.S.,

The Superintendent of Police,
O/o The Superintendent of Police,
Madurai District.

...Contemnors/Respondents

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Courts Act,1971 against the contemnors herein for their willful disobedience to comply the order passed by this Court in W.P(MD) No.10406 of 2024, dated 29.04.2024 and punish them and accordingly pass such further orders.



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CONT.P.(MD)No.1561 of 2024

For Petitioner :Mr.M.Sevanthi
For Respondents :Mr.N.Satheesh Kumar
Additional Government Pleader

ORDER

This Contempt Petition has been filed against the respondents for their wilful disobedience in complying with the order passed by this Court in WP(MD) No.10406 of 2024, dated 29.04.2024.

2.This Court, while disposing of that writ petition directed the fourth respondent therein to submit his report within a period of two weeks from the date of receipt of a copy of that order and on receipt of the report, the second respondent therein was directed to consider the representation of the petitioner, dated 19.12.2023 afresh and pass appropriate orders in accordance with law, within a period of four weeks from the date of receipt of a copy of that order.

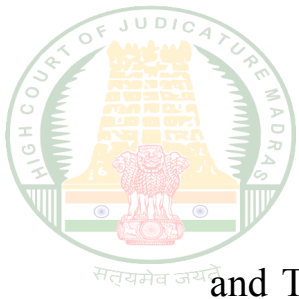


CONT.P.(MD)No.1561 of 2024

WEB COPY

3.Though sufficient time is granted, the respondents in this Contempt Petition did not choose to file their counter affidavit to defend their case till 24.02.2025. Accordingly, this Court came to *prima facie* opinion that the respondents willfully disobeyed the order of this Court and issued a statutory notice for their appearance. In compliance of the statutory notice issued by this Court on 24.02.2025, Mrs.Celin Kalaiselvi, the Schedule Cast and Schedule Tribe Welfare Officer and Mr.B.K.Arvind, the Superintendent of Police, Madurai are present before this Court. On behalf of the respondents, a counter affidavit is also filed.

4.Basing on the averments made in the counter affidavit, Mr.N.Satheesh Kumar, learned Additional Government Pleader submits that the order, dated 29.04.2024 has been served on the second respondent on 06.07.2024. The second respondent sent his report to the first respondent on 31.07.2024. Thereafter, the first respondent forwarded the representation of this petitioner along with the report of the second respondent to the Director of Adi Dravidar



CONT.P.(MD)No.1561 of 2024

WEB COPY

and Tribal Welfare Department. The Director of Adi Dravidar and Tribal Welfare Department returned the file stating that the Adi Dravidar Department is not the competent authority to consider the claim of the petitioner and accordingly the entire file was transmitted to the District Collector, Madurai. The learned counsel for the respondents further submits that the District Collector, Madurai has considered the entire issue and rejected the claim of this petitioner by an order, dated 25.02.2025 stating that the petitioner is not entitled for the claim made in his representation. In view of the same, the learned counsel submits that there is no willful disobedience on the part of the respondents and sought to close this contempt petition.

5.The learned counsel for the petitioner submits that a copy of the rejection order passed by the District Collector, Madurai is not communicated to the petitioner and therefore, he sought liberty to challenge the same.



CONT.P.(MD)No.1561 of 2024

WEB COPY

6.Considering the facts and circumstances of the case, it

appears that the second respondent has implemented the order within the time stipulated by this Court by sending the report to the first respondent. The first respondent also took further steps to implement the order by forwarding the same to the Head of the Department. However, considering the fact that as on now, the District Collector, Madurai has passed an order, rejecting the claim of the petitioner, in our considered view, no further adjudication is required in this Contempt Petition. Accordingly, this Contempt Petition is closed with liberty to the petitioner to challenge the same, if so advised.

7.This Court intends to make it clear that if the respondents filed their counter affidavit within the time with their stand, there is no necessity for this Court to order for their appearance.

10.03.2025

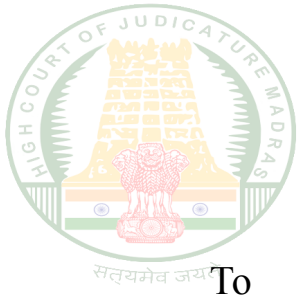
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CONT.P.(MD)No.1561 of 2024



CONT.P.(MD)No.1561 of 2024

To
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1. Mrs. Celin Kalaiselvi
The Schedule Caste and Schedule Tribe Welfare Officer,
O/o The Schedule Caste and Schedule Tribe Welfare Officer,
Madurai District.
2. Mr. B. K. Arvind, I.P.S.,
The Superintendent of Police,
O/o The Superintendent of Police,
Madurai District.



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CONT.P.(MD)No.1561 of 2024

BATTU DEVANAND, J.

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Order made in
CONT.P.(MD)No.1561 of 2024
in
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