



CONT.P(MD)No.2588 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.07.2025

CORAM

THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

CONT.P(MD) No.2588 of 2024

in

W.P.(MD) No.16021 of 2022

Gomathi (died)

S.Kanagaraj,
S/o.Sukkal (late),
residing at 2/183, Salvarpatti Post,
Sivakasi Taluk,
Virudhunagar District

... Petitioner

vs.

1.Dr.B.Chandra Mohan IAS,
The Secretary to the Government,
(Revenue Department),
Secretariat,
Fort St.George,
Chennai 600 009.

2.Mr.D.K.Sekar IA&AS,
The Principal Accountant General,
Tamil Nadu Circle,
361, Annasalai,
Tenampettai,
Chennai 600 018.

3.Mr.Loganathan,
The Tahsildar,
Sivakasi,
Virudhunagar 626 001.

... Respondents



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PRAYER: Contempt Petition filed under Section 11 of the Contempt of Court to punish the contemnors for their wanton and wilful disobedience of the order passed by this Court in W.P.(MD) No.16021 of 2022, dated 22.07.2022.

For Petitioner :Mr.G.Thalaimuthurasu

For Respondents :Mr.D.Sadiq Raja
Additional Government Pleader

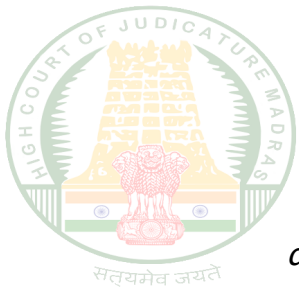
ORDER

This Contempt Petition has been filed for non compliance of the judgment and order passed by this Court in W.P.(MD) No.16021 of 2022, dated 22.07.2022.

2.Heard Mr.G.Thalaimuthurasu, learned counsel for the petitioner and Mr.D.Sadiq Raja, learned Additional Government Pleader for the respondents.

3.This Court, vide judgment and order, dated 22.07.2022, had disposed of the said writ petition with the following directions:-

“4.In the light of the above observations, there shall be a direction to the petitioner to give a fresh representation to the first and second respondents, though he has made a representation, dated 06.06.2022, seeking to disburse the benefit of Death cum Retirement Gratuity (DCRG) Payable to the petitioner on account of the death of her husband, namely, K.Sukkal while he is in service, with interest at the rate of 12% per annum till the



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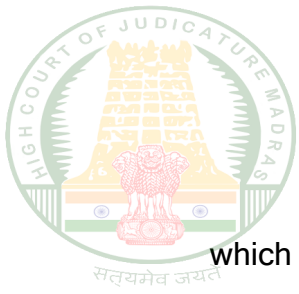
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disbursement. On receipt of such a representation, the respondents herein are directed to consider the same, on its own merits and pass appropriate orders in accordance with law, within a period of three (3) months from the date of receipt of a fresh representation. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

5. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs."

4.The learned counsel for the petitioner submits that despite the judgment and order passed by this Court in W.P.(MD) No.16021 of 2022, dated 22.07.2022, the respondents have not complied with the directions of this Court and have wilfully and deliberately flouting the orders passed by this Court, dated 22.07.2022. Thus, the learned counsel submits that the respondents should be summoned and punished for committing contempt by exercising the powers under Sections 11 and 12 of the Contempt of Courts Act, 1971.

5.Today, when the matter is taken up, Mr.D.Sadiq Raja, learned Additional Government Pleader for the respondents, in compliance of the order of this Court dated 22.07.2022, has filed a compliance affidavit, dated 03.07.2025, annexing a copy of the decision taken by the respondents, by



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which the petitioner's claim was rejected by way of a reasoned and a speaking order. The compliance affidavit filed by the respondents is taken on record and a copy of the same has also been given to the learned counsel for the petitioner. Thus, he submits that the respondents may be discharged from the present contempt proceedings, as the judgment and order of this Court dated 22.07.2022 has been fully complied with by the respondents and the present Contempt Petition may also be disposed of.

6.Mr.G.Thalaimuthurasu, learned counsel for the petitioner submits that he received a copy of the compliance affidavit filed by the respondents along with a copy of the decision taken by the respondents, by which, the claim of the petitioner has been rejected by way of a reasoned and a speaking order. Thus, he submits that he may be given liberty to challenge the aforesaid order before the competent Court of law. It was further submitted that as the order has been communicated to the petitioner, he has no objection if the respondents are discharged from the present contempt proceedings and the present Contempt Petition may also be disposed of.

7.Accordingly, in view of the submissions made by the learned counsel for the parties, after perusal of the judgment and order passed in W.P.(MD) No.16021 of 2022, dated 22.07.2022 and the compliance affidavit filed by the respondents, dated 03.07.2025, annexing a copy of the decision taken by the



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respondents, this Court is satisfied that the direction issued by this Court in W.P.(MD) No.16021 of 2022, dated 22.07.2022 has been fully complied with by the respondents and no useful purpose will be served in continuing with the present contempt proceedings against the respondents.

8.Accordingly, the Contempt Petition is finally disposed of with liberty to the petitioner to challenge the aforesaid order of the respondents, by which, the petitioner's claim was rejected by way of a reasoned and a speaking order, before the competent Court of law, if he is aggrieved by the decision taken by the respondents and the respondents are discharged from the present contempt proceedings. The file is consigned to record. No costs.

Index :Yes / No
Internet :Yes / No
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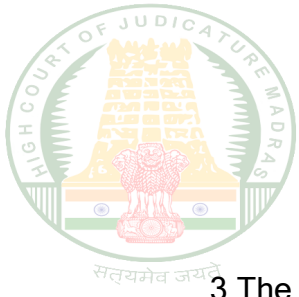
03.07.2025

To

1.The Secretary to the Government,
(Revenue Department),
Secretariat,
Fort St.George,
Chennai 600 009.

2.The Principal Accountant General,
Tamil Nadu Circle,
361, Annasalai,
Tenampettai,
Chennai 600 018.

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3.The Tahsildar,
Sivakasi,
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SHAMIM AHMED, J.

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