

CONT.P.(MD)No.2453 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 17.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CONT.P.(MD)No.2453 of 2024

in

W.P(MD)No.6245 of 2023

and Sub Aple (MD)No.68 of 2025

V.Manoharan

... Petitioner

Vs

1. K.G.Jegadeesha IAS,
The Spices Board,
(Ministry of Commerce and Industry
Government of India),
Rep. by its Secretary,
Sugandga Bhavan,
NH Bypass, PB No.2277,
Palarivat.

2. Dasisth Narayan Jha,
The Director (Marketing),
Spices Board,
Sugandga Bhavan,
Nh Bypass, PB No.2277,
Palarivattom Post, Kochi, Kerala..

3. Senthil Kumaran,
The Assisat Director (Marketing),
Spices Board, Kurangai Road,
Bodinayakanur, Theni District.



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4. The Superintendent of Police,
Theni District.

... Respondents

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(*R4 *Suo Motu Impleaded*
as by this Court vide Order dated 20.12.2024)

PRAYER: Contempt Petition filed under Section 10 of the Contempt of Courts Act, to punish the contemnors 1 to 3/respondents for willfully disobeying the order of this Court in W.P(MD).No. 6245 of 2023 dated 22-09-2023.

For Petitioner : Mr.Raja.Karthikeyan

For R1 to R3 : Mr.K.Govindarajan
Deputy Solicitor General of India

For R4 : Mr.T.Senthil Kumar
Additional Public Prosecutor

ORDER

The petitioner has approached this Court that the orders of this Court passed in W.P(MD)No.6245 of 2023 has not been complied with.

2.The petitioner has approached this Court seeking writ of Mandamus in W.P(MD)No.6245 of 2023, directing the Spices Board to



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initiate action as against the illegal auctions conducted by the private operators against the Cardamom Licensing and Marketing Rules, 1987.

In this writ petition, the learned Deputy Solicitor General of India has entered appearance on behalf of the respondents 2 to 4 therein and submitted that they are complying the rules strictly and they would initiate appropriate action as against the private operators. Recording the submissions of the learned Deputy Solicitor General, the writ petition in W.P.(MD)No.6245 of 2023 filed by this petitioner was disposed along with another writ petition in W.P.(MD)No.14199 of 2023. The present contempt petition is filed that despite the undertaking given before this court on 22.09.2023, the Spices Board has not acted upon and has not taken any steps to implement the Cardamom Licensing and Marketing Rules, 1987 at Bodinayakanur.

3.The learned Deputy Solicitor General of India appearing for the Spices Board represents that the Director of Spices Board has already lodged a complaint before the police. However, the police has not acted upon it. Therefore, this Court by its earlier order dated 20.12.2024, has impleaded the Superintendent of police, Theni District as fourth respondent to this contempt petition. Thereafter, it is reported that a criminal case has been registered as against the private operators who



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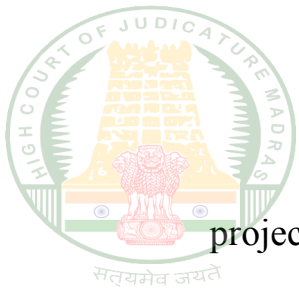
had conducted the private cardamom sale without any approval and against the Cardamom Licensing and Marketing Rules, 1987.

4.The learned Additional Public Prosecutor has also placed the FIR registered as against the private operators in Crime No.44 of 2025, dated 30.01.2025 for the offence under Section 318(4) of BNS.

5.The learned Senior Counsel appearing for the impleading petitioner submits that in view of the orders passed by this Court, dated 20.12.2024, a criminal case has been registered as against the impleading petitioner. He also submits that the maximum punishment for the violations, if any under the Spices Board Act is only six months and it is also a non cognizable offence. However, a criminal case has been registered under Section 318 (4) of BNS Act.

7.This Court has considered the rival submissions.

8.The writ petition filed by the petitioner was disposed by this Court on the basis of the undertaking given by the learned Deputy Solicitor General of India. The sale of cardamom has been regulated by Cardamom Licensing and Marketing Rules, 1987. The petitioner has

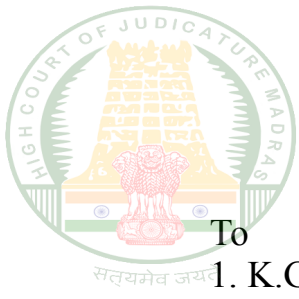


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projected his case that certain people are conducting a private market against the provisions under the Cardamom Licensing and Marketing Rules, 1987. The learned Deputy Solicitor General of India gave an undertaking that they would take appropriate action and therefore the earlier writ petition was disposed of. The petitioner has now filed this contempt petition that having given an undertaking, the Spices Board has not acted upon. However, the learned Deputy Solicitor General of India submits that a complaint has been lodged, however the police has not acted upon. Now, the police has also registered the case. Therefore this contempt petition is closed. No costs. Consequently, connected sub application is also closed. It is open to the impleading petitioner to workout his remedy in the manner known to law.

17.02.2025

NCC : Yes/No
Index: Yes/No
Internet: Yes/No
LR



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5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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B.PUGALENDHI, J.

LR

ORDER MADE IN
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