



Cont.P(MD)No.2564 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Reserved on : **09.04.2025**

Pronounced on : **28.04.2025**

CORAM:

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

Cont.P.(MD)No.2564 of 2024

in W.P.(MD)No.9722 of 2024

M.Kondasamy

... Petitioner / Petitioner

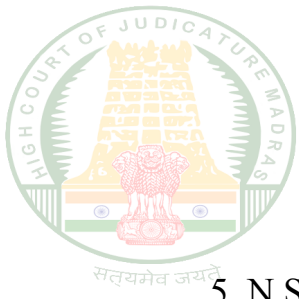
Vs.

1. Dr.D.Karthikeyan IAS.,
The Principal Secretary to Government,
Department of Municipal and
Water Supply Department,
Fort St.George, Chennai-9.

2. S.Sivarasu, IAS.,
The Commissioner of Municipal Administration,
Presently Known as Director of Municipal Administration,
Chepauk, Chennai-5.

3. M.Rajamanickam,
The Commissioner,
Aruppukkottai Municipality,
Aruppukkottai,
Virudhunagar District.

4. C.Nedunchezian,
The Accountant General (A & E),
Tamil Nadu, 361, Anna Salai,
Chennai-600 018.



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5. N.Sankari Prapha,
The Assistant Director,
Local Fund Audit Directorate,
Nandanam, Chennai-35.

... Contemnors/Respondents

PRAYER: Petition filed under Section 11 of the Contempt of Courts Act, to please to initiate contempt proceedings against the Contemnors/ Respondents and punish them for the wilful disobedience of the order of the Hon`ble High Court in W.P(MD).No.9722 of 2024 dated 24.04.2024.

For Petitioner : Mr.T.Aswin Raja Simman
For R1, R2 and R5: Mr.R.Baskaran
Senior Counsel
for Mr.N.Satheesh Kumar
For R4 : Mr.P.Gunasekaran
For R3 : Mr.N.Dilip Kumar

ORDER

While allowing a writ petition in WP(MD)No.9722 of 2024 on 24.04.2024, this Court issued the following direction:

“The respondents are directed to pass orders afresh within a period of eight weeks from the date of receipt of a copy of this order”

2. Complaining the disobedience on the part of the respondents in implementing the said order, the present contempt petition is filed.



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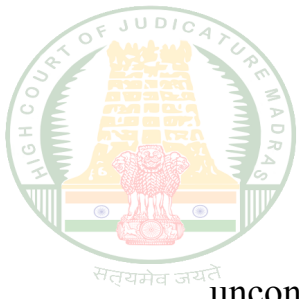
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3. The respondents filed a counter affidavit, wherein it is stated that they implemented the order of this Court. However, they admitted that there is a delay in implementing the order of the Court.

4. Considering the facts and circumstances of the case, in the considered opinion of this court, the order of the Court is not complied with in true letter and spirit as it is not implemented within the time stipulated by this Court and as such, the respondents are liable to be punished under the provisions of the Contempt of Court Act.

5. At this stage, the contemnors prayed the Court to pardon them. They also assured to be more careful in future in implementing the court's order and tendered their unconditional apology.

6. The contemnors also filed an undertaking affidavit stating that they will implement the orders without delay in future and tendered their unconditional apology. It is further stated that to prove their



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unconditional apology as *bonafide*, they are ready to do some social work as this Court deems fit.

7. They expressed their willingness to visit the premises of SAKSHAM, Sivananda Sevasram Campus, 12/7, Austinpatti Road, Sivananda Nagar, Thoppur, Madurai-625 008 (Ph.No.+919884544004), which is being run for the welfare and rehabilitation of individuals affected by Autism, Cerebral Palsy, Down Syndrome and other intellectual disabilities and to provide necessary assistance by providing required articles for utilization of the inmates of the said Centre with their own money within a period of **two months** from the date of this order.

8. Considering the undertaking given by the contemnors, this Court opines that the unconditional apology is *bonafide* and accordingly inclined to close this Contempt Petition.



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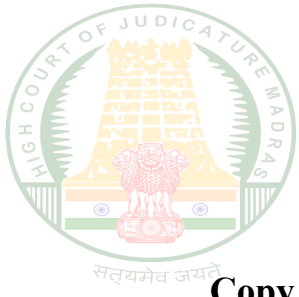
9. After visiting the said centre, the contemnors shall file an affidavit before the Registrar (Judicial), Madurai Bench of Madras High Court, Madurai, with regard to the service they rendered within a week thereafter to enable the Registrar (Judicial) to keep the same in the record for perusal of the Court.

10. If any contemnor fails to fulfill the undertaking, the Registry shall re-open the contempt petition and place before this Court.

11. Accordingly, this contempt petition is closed.

28.04.2025

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
CM



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Copy to..

Ms.Jaya,
SAKSHAM,
Sivananda Sevasram Campus,
12/7, Austinpatti Road, Sivananda Nagar,
Thoppur, Madurai 625 008
(Ph.No.+919884544004)

To,
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The Principal Secretary to Government,
Department of Municipal and
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BATTU DEVANAND, J.,

CM

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