



WEB COPY

CONT P No. 1780 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-04-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

CONT P No. 1780 of 2025

in

W.P.No.25209 of 2024

A.Aranganathan,
561/1, Dheepam Nagar,
Thiruvannamalai - 606 604.

..Petitioner(s)

Vs

Annadurai,I.A.S.,
Managing Director,
Tamil Nadu Civil Supplies Corporation,
Head Office,
Koyambedu,
Chennai.

..Contemnor(s)

Petition filed under Section 11 of the Contempt of Courts Act, 1971, praying to punish the respondent for the wilful disobedience and disrespect of this Court's Interim Order passed in W.P.No. 25209 of 2024 dated 18.09.2024.

For Petitioner(s): Mr.S.Venkataraman

For Contemnor(s): Mr.C.Selvaraj, AGP for the respondent

ORDER

This Contempt Petition has been filed to punish the respondent for the wilful disobedience and disrespect of this Court's Interim Order passed in W.P.No. 25209 of 2024 dated 18.09.2024.



2. Heard the learned counsel appearing for the petitioner as well as the learned Additional Government Pleader for the respondent.

3. The learned counsel for the petitioner submitted that the petitioner is an employee of the respondent Corporation and was placed under suspension for the alleged irregularities in respect of auction sale, prior to three days of his retirement i.e., on 27.06.2023 and subsequently, he was not permitted to retire on 30.06.2023 and his service was retained in terms of Rule 13 (a) & (b) of the Service Regulations of the respondent Corporation and subsistence allowance was paid for six months and thereafter not paid as per the Rule 13 (c) of the Regulations of the respondent Corporation and thereby, the above Writ Petition was filed. He further submitted that on 18.09.2024, this Court in W.P.No.25209 of 2024 had passed an interim order, directing the respondent to release the subsistence allowance to the petitioner till the conclusion of the disciplinary proceedings pursuant to the charge memo dated 11.05.2024. He added that though this Court by its interim order dated 18.09.2024 had issued a direction to release the subsistence allowance to the petitioner for the period from December 2023 till August 2024 before the next date of hearing and also stated that if the said condition is complied with, this Court will direct the petitioner to co-operate with the disciplinary proceedings within a time frame fixed by this Court, however, the said order was not complied with and thereafter also an



interim order was passed by this Court on 24.10.2024 and posted the case for reporting compliance, then also, there was inaction on the part of the respondent and hence, the present Contempt Petition was filed by the petitioner.

4. Furthermore, the learned counsel submitted that though the respondent has paid the subsistence allowance for six months however not continued to pay the same till the conclusion of the disciplinary proceedings and contended that as per the order of the Division Bench of this Court, the petitioner is entitled for subsistence allowance till the completion of the disciplinary proceedings and hence, he prayed for appropriate orders.

5. Per contra, the learned counsel for the respondent submitted that taking advantage of the interim orders of this Court, the petitioner is not co-operating with the enquiry and non compliance of the order of this Court is only due to non co-operation of the petitioner in the enquiry. He also submitted that this Court may issue a direction to the petitioner to co-operate with the enquiry so as to enable the respondent to complete the disciplinary proceedings within a period of four months. He also submitted that on completion of the said disciplinary proceedings, the payment of subsistence allowance to the petitioner will be decided as per the order of the Hon'ble Division Bench of this Court and thus submitted that the respondent has not disobeyed the order of this Court.



6. Admittedly, the petitioner attained superannuation on 30.06.2023 however due to alleged irregularities in regard to auction sale, his service was retained, however the disciplinary proceedings as against the petitioner is not concluded till date and the subsistence allowance was only paid for six months and due to non payment of subsistence allowance pending disciplinary proceedings, the above Writ Petition was filed. This Court had issued a direction to pay subsistence allowance to the petitioner employee. It is now brought to the notice of this Court that taking advantage of the interim orders of this Court, the petitioner has not co-operated with the employer for enquiry with an ulterior motive to protract the disciplinary proceedings and to draw the subsistence allowance. Even as per the Tamil Nadu Subsistence Allowance Act, if the employee does not co-operate with the enquiry, he is not entitled to subsistence allowance.

7. Considering the facts and circumstances of the case, this Court directs the petitioner to co-operate with the enquiry and the respondent shall conclude the disciplinary proceedings as against the petitioner, within a period of four months from the date of receipt of a copy of this order. It is made clear that after conclusion of the disciplinary proceedings, the petitioner is entitled for subsistence allowance and the respondent is directed to pay the subsistence allowance after conclusion of the disciplinary proceedings from the date of last payment to till the conclusion of the disciplinary proceedings.



8. With the above observations and directions, the Contempt Petition stands closed.

17-04-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

DP

To

The Managing Director,
Tamil Nadu Civil Supplies Corporation,
Head Office,
Koyambedu,
Chennai.



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M.DHANDAPANI, J.

DP

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