

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

CP/310/00109/2017 in OA/310/01285/2012

Dated Thursday the 22nd day of November Two Thousand Eighteen

PRESENT

HON'BLE MR. R. RAMANUJAM, Member (A)

&

HON'BLE MR. P. MADHAVAN, Member (J)

P.Vengadapady,
S/o. S. Parthasarathy, aged about 40 years,
No. 49, West Street, Bahour Post,
Puducherry 607402.Applicant

By Advocate Mr. R. Saravanan

Vs

1.Mr.Mihir Vardhan,
The Secretary to Government,
Agricultural Department,
Chief Secretariat,
Puducherry.

2.Mr. A.Ramamurthi,
The Director of Agriculture,
Puducherry.

3.Mr. Sekar,
The Deputy Director, Administration,
Directorate of Agriculture,
Puducherry.Respondents

By Advocate Mr. R. Syed Mustafa

ORAL ORDER

(Pronounced by Hon'ble Mr. R. Ramanujam, Member(A))

Heard. This CP has been filed alleging wilful disobedience by the respondents of the order of this Tribunal in OA 1285/2012 dt. 02.06.2015. Notice was issued to the respondents.

2. On perusal, it is seen that the applicant had filed CP 0046/2016 on the same allegation which was closed by an order of this Tribunal dt. 19.06.2017. It was observed that the respondents had already taken a decision and passed a reasoned and speaking order in compliance of the order of this Tribunal dt. 02.06.2015 and, therefore, there was no contempt. Accordingly, the notices of contempt were discharged. However, the applicant has filed this CP again alleging that earlier the respondents had "washed their hands off" by writing to the Ministry of Home Affairs a letter dt. 27.10.2015 and stating that a decision would be arrived at by the Government on receipt of reply from the Ministry of Home Affairs on technical grounds. However, even after the Ministry of Home Affairs allegedly communicated their decision, the respondents herein have taken no decision and accordingly, the respondents are liable to be proceeded against for contempt.

3. We have considered the matter. We are of the view that if any decision had been taken by the Ministry of Home Affairs which has a bearing on the applicant's claim against the respondents herein, he could agitate the matter in a

fresh OA. As a CP in the matter had already been closed and it is also noticed that this Tribunal in its order dt. 02.06.2015 had clearly stated that no time limit was set considering that a policy decision had to be taken, we are not inclined to proceed with this CP.

4. CP is accordingly dismissed. Notices are discharged. The applicant shall, however, be at liberty to agitate his grievance by way of a fresh OA if he has sufficient material to back up his claim and if so advised.

(P. Madhavan)
Member(J)

(R.Ramanujam)
Member(A)

22.11.2018

SKSI