

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2015

CORAM:

THE HONOURABLE MR.JUSTICE V.DHANAPALAN
AND
THE HONOURABLE MR. JUSTICE M.DURAI SWAMY

CONTEMPT PETITION No.1910 of 2014

in

W.A.No.141 of 2014

The Young Badaga Association
 rep. By its Secretary,
 L.Chandrasekaran,
 S/o.Lakshmanan
 Cash Bazaar, Ooty Road,
 Dr. Joghee Building,
 Coonoor, The Nilgris.

... Contempt Petitioner

vs.

1.A. Selvaraj
 Sub Divisional Magistrate and
 Revenue Divisional Officer,
 Coonoor,
 Udthagamandalam.

2.Buddichandran
 Manickal

Keezh Kundha Road,
 Kundha Post, The Nilgris.

... Respondents

Contempt Petition filed under Section 11 of the Contempt of Courts Act to punish the respondents for having willfully committed contempt of the order of this Court dated 26.02.2014 in W.A.No.141 of 2014.

For Petitioner : Mr.K.M.Vijayan,
 Senior Counsel
 for Mr.Sanjeev Kumar
 for M/s.Royan Law Associates

For Respondents : Mr.P.H.Arvinth Pandian,
 Addl. Advocate General
 assisted by
 Mr.R.Rajeswaran,
 Special Govt. Pleader

O R D E R

(Order of the Court was made by V.Dhanapalan,J.)

Heard Mr.K.M.Vijayan, learned Senior Counsel appearing for Mr.Sanjeev Kumar, learned counsel for the Contempt Petitioner and Mr.P.H.Arvinth Pandian, learned Additional Advocate General appearing for Mr.R.Rajeswaran, learned Special Government Pleader for the respondents.

2. This Contempt Petition is filed praying to punish the respondents for having committed contempt of the order dated 26.02.2014 passed by this Court in W.A.No.141 of 2014.

3. It is informed by the learned counsel on either side that the order under contempt has been taken on file by the Supreme Court in S.L.P.No.6327 of 2014 and the same was dismissed. Thereafter, it is the duty of the respondents to permit the petitioner to occupy the Association premises and allow them to function. As there is no action on the part of the respondents, the petitioner is before this Court.

4. The 1st respondent/Revenue Divisional Officer has filed an affidavit dated 17.03.2015, wherein, in paragraph 9, it is stated as follows:

'9. It is humbly submitted that further based on the request made by the respondent on 12.03.2015, the keys of the above hall have been handed over to the respondent on 12.03.2015 for cleaning purpose and the keys are with the respondent

till date and it will be received back on 18.03.2014 once the cleaning process gets completed. It is further submitted that the meeting hall will be kept open as and when requested by the respondent as per the interim orders of the Hon'ble High Court in Writ Petition No.27378 of 2014.'

5. Thereafter, the petitioner/Young Baduga Association approached this Court in another Writ Petition in W.P.No.5247 of 2015 for a direction to forbear them from in any manner interfering in the peaceful functioning of their Association which was duly elected pursuant to the order dated 26.02.2014 passed in W.A.No.46 and 141 of 2014. W.P.No.5247 of 2015 is still pending before this Court.

6. Today, the 1st respondent/Revenue Divisional Officer appeared before this Court and reported that he is in complete obedience of the order of this Court and prepared to give the keys to the petitioner Association for their functioning, as per the orders of this Court. However, learned Additional Advocate General would inform that in view of the pendency of W.P.No.5247 of 2015 filed by the petitioner Association, it would always be subject to the outcome of the Writ Petition.

6. The interim order dated 15.10.2014 passed by the learned Single Judge in W.P.No.27378 of 2014, placed before this Court would reveal that the Revenue Divisional Officer, Coonoor has been directed to permit the petitioner Association to hold meetings, marriages and other functions

in the society Hall without any interruption.

7. In the light of the above, recording the stand taken by both the parties that they would obey the orders of this Court, the views expressed by the learned Additional Advocate General as to the pendency of the Writ Petition in W.P.No.5247 of 2015 and the statement made by the Revenue Divisional Officer, Coonoor, in his affidavit, as also taking note of the interim order passed by this Court on 15.10.2014 directing the 1st respondent/RDO to permit the petitioner Association to hold meetings, marriages and other functions in the society Hall without any interruption, **this Contempt Petition is closed.** However, this position is subject to the outcome of the Writ Petition.

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SD/
DEPUTY REGISTRAR (CLAA)

//Certified to be true copy//

Dated at Madras this the day of 2015.

सत्यमेव जयते

COURT OFFICER(O.S.)

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SS/CO/20/03/2015

One CC to Mr.Royan Law Associates, Advocate, SR.3806

To

1.A. Selvaraj

Sub Divisional Magistrate and
Revenue Divisional Officer,
Coonoor, Udhagamandalam.