

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **3.8.2015**

CORAM:

THE HONOURABLE MR. JUSTICE **SATISH K.AGNIHOTRI**

AND

THE HONOURABLE MR. JUSTICE **K.K.SASIDHARAN**

Contempt Petition No.359/2015

L.Devan : petitioner

versus

P.Menaka,
Revenue Divisional Officer,
Dharmapuri. : respondent

Petition filed under Section 11 of the Contempt of Courts Act to punish the respondent for wilfully disobeying the orders of the court dated 27.2.2014 in W.P.No.5470 of 2014.

For
petitioner Mr.S.Doraisamy

For
respondent Mr.N.Sakthivel, Government
Advocate

O R D E R

(made by K.K.SASIDHARAN, J.)

The petitioner seeks initiation of contempt proceedings against the respondent alleging wilful disobedience of the order passed by this Court in W.P.No.5470 of 2014.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader on behalf of the respondent.

3. The petitioner challenged the order dated 13 January 2014 rejecting the application to issue community certificate to his children before this Court in W.P.No.5470 of 2014. This Court by order dated 27 February 2015, set aside the order dated 13 January 2014 and directed the respondent to consider the matter afresh.

4. The petitioner has come up with this contempt petition with a grievance that notwithstanding the specific order passed by this Court, the respondent passed an order on 21 April 2014, referring the matter to the State Level Committee.

5. The factual matrix indicates that this Court passed an order on 27 February 2014 directing the respondent to reconsider the application submitted by the petitioner for issuance of community certificate to his children. This Court also made it clear that in case the respondent entertains any doubt about the genuineness of the certificate relied on by the petitioner, it is open to the concerned officer to refer the matter to the competent committee.

6. The respondent entertained a reasonable doubt with regard to the genuineness of the community certificate dated 26 June 1981 and 24 December 1988. The respondent

therefore referred the matter to the Committee constituted for deciding the issue relating to community certificate.

7. The respondent was given liberty by this Court to refer the matter to the Competent Committee. Therefore, it cannot be said that by referring the matter to the committee, the respondent has committed an act of contempt.

8. The respondent has acted in accordance with the direction given by this Court. She has not committed any act of contempt as alleged by the petitioner. We therefore do not find any reason to punish the respondent by entertaining the contempt petition.

9. In the upshot, we dismiss the contempt petition.

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SD/-

DEPUTY REGISTRAR (CLAA)

//Certified to be true copy//

Dated at Madras this the day of 2015.

COURT OFFICER (O.S.)

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SS/CO/27/11/2015

One CC to S.Doraisamy, Advocate Sr.No. 10050

One CC to Govt.Pleader in Sr.10066.

To

The Revenue Divisional Officer,

Dharmapuri.

<https://hcservices.ecourts.gov.in/hcservices/>