

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.06.2015

CORAM:

THE HONOURABLE MR.JUSTICE V.RAMASUBRAMANIAN

Contempt Petition No.83 of 2015

Virudhunagar Hindu Nadarkal Abiviruthi
Panchukadai Mahamai
rep. by its Secretary
No.238, Railway Feeder Road
Virudhunagar

..Petitioner

vs.

1. V.M.A.R.T.Ramesh
2. P.Palani
3. T.Parthiban

.. Respondents

Petition Under Section 11 of the Contempt of Courts Act to punish the respondents herein for their acts of contempt of court for their disobedience of the order dated 11.11.2014 passed in W.P.No.29306 of 2014.

For Petitioner : Mr.S.Subbiah
For respondents : Mr.G.Veerapathiran (R1)

ORDER

The Contempt Petition arises out of an interim order passed in a writ petition filed by the 1st respondent herein.

2. Heard Mr.S.Subbiah, learned counsel for the petitioner and Mr.G.Veerapathiran, learned counsel for the 1st respondent.

3. The 1st respondent herein moved a writ petition seeking a mandamus to direct the Inspector General of Registration and the Government to appoint a Special Officer for the administration and supervision of the Society by name Virudhunagar Hindu Nadarkal Abiviruthi Panchukadai Mahamai, which is a Society registered under the Tamil Nadu Societies Registration Act. Pending the writ petition, the 1st respondent herein also sought an injunction restraining the Society from convening a meeting.

4. When the writ petition and the application for injunction came up for admission on 11.11.2014, I passed the following order:-

"Notice of motion returnable by two weeks. Private notice permitted. Any resolution passed in the meeting will be subject to further orders to be passed in this writ petition".

5. Complaining that after failing to obtain an interim injunction, the 1st respondent has somehow managed to stall the meeting, the Society has not come up with this petition for contempt.

6. As seen from the order passed by me on 11.11.2014, there was no positive direction to somehow or other conduct a meeting. Unless such a direction had been granted, any attempt really made by

the 1st respondent to stall the meeting cannot be stated to be a contempt of the order of this Court. The interim order passed by me has the only effect of ensuring that any resolution if passed in a meeting conducted by the Society, will be subject to further orders. But there was no positive direction to ensure a meeting. Therefore, no contempt is made out. Hence, this contempt petition is closed.

01.06.2015

rg

V.RAMASUBRAMANIAN,J

rg

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