

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.07.2017

CORAM :

The Hon'ble Ms.INDIRA BANERJEE, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE M.SUNDAR

Cont.P. No.920 of 2017

Rangarajan Narasimhan ... Petitioner

-VS-

Mr.Veerashanmuga Moni
Commissioner,
Hindu Religious & Charitable Endowments
Dept., Uthamar Gandhi Salai,
Nungambakkam, Chennai 600 034. ... Respondent

Petition filed under Section 11 of the Contempt of Courts Act, 1971, to protect the heritage temples which are priceless and it is necessary and to punish the respondent for wilful disobedience of the order dated 01.02.2017 in W.M.P.No.2274 of 2017 in W.P.No.574 of 2015.

For Petitioner
(Party-in-person) : No appearance

* * * * *

O R D E R

(Order of the Court was made by M.Sundar, J.)

This Contempt Petition has been filed, alleging

violation / wilful disobedience of the order of this Court

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

dated 01.02.2017 made in W.M.P.No.2274 of 2017 in

W.P.No.574 of 2015.

2.The prayer in W.M.P.No.2274 of 2017 (to put in the language in which it was couched by the petitioner) was one seeking a direction to the Expert Committee Members to conduct expert committee meetings at a neutral venue to enable "fearless attendance" by the petitioners/stakeholders.

3.This W.M.P.No.2274 of 2017 has been taken out by Mr.Rangarajan Narasimhan, petitioner appearing party-in-person, who is also the petitioner appearing party-in-person in the main writ petition, W.P.No.574 of 2015, wherein the prayer reads as follows:

"To issue Writ of Mandamus directing the Respondents to take speedy steps to constitute the 17-Member Heritage Commission and also to set-up the Mamallapuram World Heritage Area Management Authority to safeguard the archaeological monuments in the State of Tamilnadu"

4.As far as W.M.P.No.2274 of 2017 is concerned, as is evident from the order of this Court dated 01.02.2017, after a detailed hearing, this Court left it to the wisdom of the Expert Committee itself to examine the venue. In other words, this Court was of the considered opinion / view that the Expert Committee itself, in its wisdom, shall examine and decide where it wants to hold the meetings.

With regard to who would attend the meeting also, it is evident from the said order that this Court had left it

entirely to the wisdom and discretion of the Expert Committee. This is brought out very clearly in the following two paragraphs in the order of this Court and we deem it appropriate to extract the same:

'We are of the view that the expert Committee may itself examine where it wants to hold the meetings. But in case, it is desirous of having the attendance of any person, if so desired, the Government authorities will facilitate the same.

The application, accordingly, stands disposed of.'

5. Party-in-person / petitioner herein has filed this contempt petition alleging violation / wilful disobedience of the aforesaid order. This contempt petition is predicated on the pivotal point that the party-in-person / petitioner was prevented by the Secretary of the Expert Committee from attending a meeting, which, according to him, was held on 27.02.2017 at 3.00 p.m. in the office of the Tamil Nadu Hindu Religious and Charitable Endowments Department (Commissioner's office), Nungambakkam, Chennai.

6. Today, when the matter was called, there was no representation on behalf of the petitioner. However, this being a contempt petition and there being no *lis* between the parties and the petitioner being an informant, this

<https://hcservices.eco.nic.gov.in/hcservices/> deemed it appropriate to examine the contempt petition on merits. We have perused the records.

7.We find no reason or ground to entertain this contempt petition for the following three reasons:

- a) There is no positive direction in our order to the effect that the petitioner should be permitted to participate in the Expert Committee meeting.
- b) As a matter of fact, there is no positive direction at all in our order which is alleged to have been violated.
- c) Besides there being no positive direction, this Court has left it entirely to the discretion and wisdom of the Expert Committee to decide both about the venue and about the persons who will participate in the meeting / wilfully disobeyed.

8.Therefore, there is no ground whatsoever that has been made out to say that the order of this Court dated 01.02.2017 made in W.M.P.No.2274 of 2017 has been violated.

9.The Contempt Petition is, accordingly, closed. No costs.

SD/-

JOINT REGISTRAR(OS) (i/c)

sra

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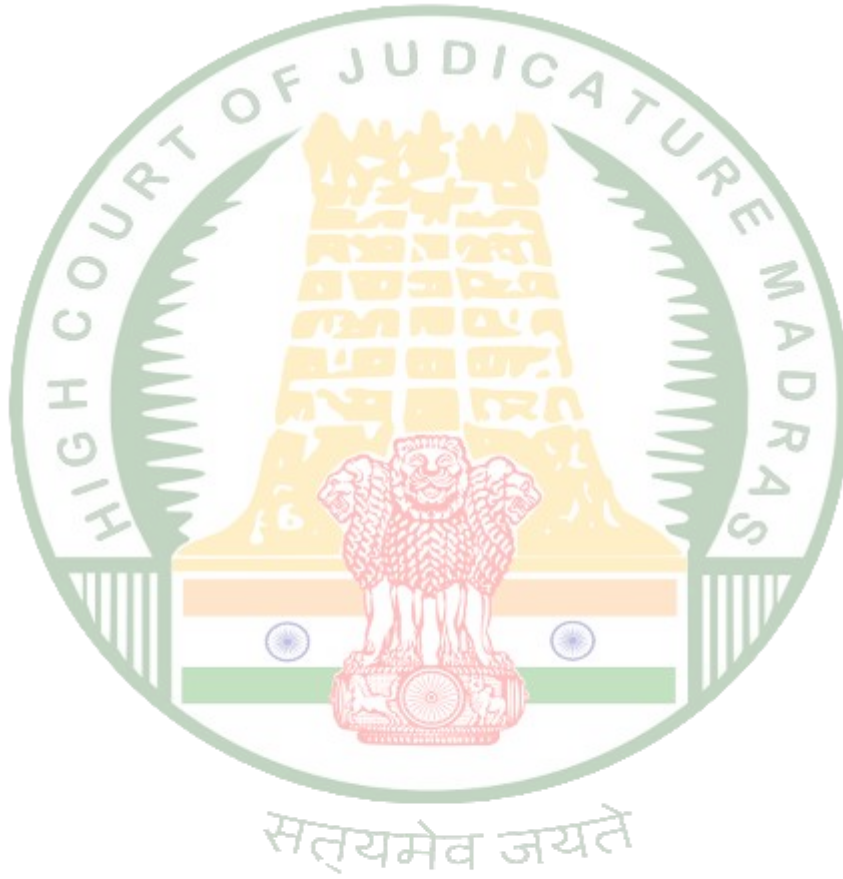
Dated at Madras this the day of 2017.

COURT OFFICER(O.S.)

from 25th day of September 2008 the Registry is issuing Certified copies of the Orders/Judgments/Decrees in this format.

To

The Commissioner,
Hindu Religious & Charitable Endowments
Dept., Uthamar Gandhi Salai,
Nungambakkam, Chennai 600 034.



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