

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.12.2017

CORAM:
THE HONOURABLE MR. JUSTICE S.VAIDYANATHAN

CONTEMPT PETITION Nos.2864 to 2868 of 2013

A.R.Meenakshi ... Petitioner in Cont.Petn. No.2864 of 2013
S.Varadarajan ... Petitioner in Cont.Petn. No.2865 of 2013
N.Viswanathan ... Petitioner in Cont. Petn. No.2866 of 2013
A.E.Rajasekaran ... Petitioner in Cont. Petn. No.2867 of 2013
M.Saraswathi ... Petitioner in Cont. Petn.No.2868 of 2013

vs.

1. S.Chandra
Principal Secretary and
Commissioner of Land Administration,
Ezhilagam, Chepauk,
Chennai 600 005.
2. E.Sundaravalli, I.A.S.,
District Collector of Chennai District,
Singaravelar Maaligai,
Rajaji Salai, Chennai 600 001.
3. B.K.M.Shantha
Tahsildar, Purasawalkam-Perambur Taluk,
Perambur, Chennai 600 011.
4. Vikram Kapur, I.A.S.,
Commissioner, Corporation of Chennai,
Ripon Buildings,
Park Town, Chennai 600 003. ... Respondents in all Cont. Petns.

Contempt Petitions filed under Section 11 of the Contempt of Courts Act, seeking to punish the respondents herein for willfully disobeying the common order dated 14.06.2013 passed by this Court in W.P.Nos.1236, 1237, 1238, 1239 and 1240 of 2011.

For Petitioner in all Petitions : Mr.S.Srinivasan

For Respondents in all Petitions : Mr.Akhil Akbar Ali,
Government Advocate

COMMON ORDER

Petitioners have come up with these Contempt Petitions seeking to punish the respondents herein for willfully disobeying the common order dated 14.06.2013 passed by this Court in W.P.Nos.1236, 1237, 1238, 1239 and 1240 of 2011.

2. Heard the learned counsel on either side and perused the material documents available on record.

3. From the records, it appears that the Contempt Petitions have not been disposed of. However, the print out taken from the National Informatics Centre (NIC) shows that the above Contempt Petitions have been disposed of by this Court on 09.06.2017. The order passed by this Court on 05.06.2015 in the above Contempt Petitions have not been modified and hence, the amount mentioned therein shall go to the beneficiaries.

4. Learned Government Advocate appearing for the respondents submitted that if the order under contempt is clarified, he will give necessary instructions to the respondents to comply with the same.

5. It is further stated that the respondents have deducted TDS, however, no details pertaining to the same have been given, due to which the petitioners are unable to make necessary application to the authorities for getting revision of TDS.

6. This Court is of the view that TDS may not be applicable to the facts and circumstances of this case, as the petitioners are entitled to compensation. However, the same was not the issue raised in the Writ Petitions. This observation is only for disposal of this Contempt Petition and whether TDS is applicable in compensation matters will be decided in appropriate cases, when it comes for hearing. If no TDS amount is remitted, it is open to the petitioners to claim the same along with the entire amount from the authorities, as per the order dated 05.06.2015. The respondents shall comply with the order dated 14.06.2013 passed in the original Writ Petitions within a period of four (4) weeks from the date of receipt of a copy of this

order.

These Contempt Petitions are closed. However, list this matter before me on 19.01.2018 for reporting compliance.

08.12.2017

Note to Registry: Issue copy of this order on or before 15.12.2017

(aeb)



WEB COPY

S.VAIDYANATHAN,J.

(aeb)



Common Order in
CONT. PETN. Nos.2864 to 2868 of 2013

WEB COPY

08.12.2017