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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.08.2018

CORAM

THE HONOURABLE MR. JUSTICE M.S. RAMESH

Contempt.Petition.No.1855 of 2017

M.Ramesh

...Petitioner

Vs

Mrs.Poonam Suri,
Deputy Legal Advisor &
Competent Authority,
Department of Legal Affairs
(Notary Cell)
Ministry of Law and Justice,
4th Floor, 'A' Wing,
R.NO.439-A, Shastri Bhawan,
New Delhi - 110 001.

...Respondent

Prayer:Contempt Petition filed under Section 11 of the
Contempt of Court Act to punish the Respondent for her
willful disobedience of the order dated 25.11.2016 made in
W.P.No.18364 of 2013 passed by this Court.

For Petitioner : Mr.N.Manokaran

For Respondent : Mr.D.Rajagopal
Additional Solicitor General

ORDER

This contempt petition has been filed to punish the
Respondent for the willful disobedience of the order dated
25.11.2016 made in W.P.No.18364 of 2013 passed by this
Court.



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2. The impugned order in the Writ Petition was passed by the second respondent herein, which was set aside by this Court remanding back the matter to the second respondent herein for considering the petitioner's application afresh. Since the petitioner is of the view that the same has not been complied with, the present contempt petition is filed.

3. Pursuant to the statutory notice was issued to the second respondent, he is personally present before this Court, today.

4. The learned Additional Solicitor General submitted that pursuant to the order of this court the respondent in the contempt petition has forwarded the petitioner's application dated 16.03.2011 to the concerned board of the Central Government, who is the authority for considering the petitioner's application which immotive. Since the Board yet to be constituted and the decision is also intended to be taken for constitution of the Board between 19.09.2017 to 29.09.2017.

5. The learned Additional Solicitor General submitted that the decision would be placed before the Board as soon as it is considered. In view of the action of the second



respondent forwarding the petitioner's application to the Board, it may not be termed as a willful disobedience on the part of her. Nevertheless, non-consideration of the application would still amount to violation, which aspect requires further deliberations at the relevant point of time.

6. In view of the same, the Contempt Petition stands closed for the present. In case, the petitioner is of the view that the disobedience still continues after the constitution of the Board, liberty is granted to the petitioner to file a fresh contempt petition.

SD/-

ASSISTANT REGISTRAR (COMM.CASES)

dh

//Certified to be true copy//

Dated at Madras this the day of 2018.

COURT OFFICER (O.S.)

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PS/19/09/2018