

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13-07-2018

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

Contempt Petition No. 1870 of 2016

V. Selvakumar

.. Petitioner

Versus

C. Shobana
The Joint Sub-Registrar No.1
Office of the Sub-Registrar
Cuddalore

.. Respondent

Petition filed under Section 11 of The Contempt of Court Act, 1971 praying to punish the respondent for having committed civil Contempt by wilful disobedience of the order of this Court in WP No. 15968 of 2016 pronounced on 27.04.2016.

For Petitioner : Mr. Kaviveerappan

For Respondent : Mr. M. Elumalai
Government Advocate

ORDER

The petitioner has filed WP No. 15968 of 2016 before this Court praying to issue a Certiorarified Mandamus to call for the records in connection with the report of the Special Deputy Collector (Stamps), Office of the District

Collectorate, Cuddalore - 1 dated 09.12.2015 bearing Sl.No.39 of 2015 and quash the same and direct the respondents to accept the actual stamp duty and release the sale deed dated 4339 of 2015 registered on 30.11.2015, based on the petitioner's representation dated 08.01.2016, in accordance with law

2. When the above writ petition was taken up for hearing on 27.04.2016, this Court, finding that the order, which was impugned in the writ petition, was passed without affording an opportunity of hearing to the petitioner, set aside the order impugned therein, allowed the writ petition and remitted the matter back to the third respondent in the writ petition to conduct an enquiry on the representation of the petitioner dated 08.01.2016, give an opportunity of hearing to the petitioner and to pass orders thereon within a period of eight weeks. According to the petitioner, the said order dated 27.04.2016 made in WP No. 15968 of 2016 has not been complied with by the respondent, and therefore, he has filed this contempt petition.

3. Today, when the contempt petition is taken up for hearing, the learned Government Advocate, by relying on the counter affidavit of the respondent, would contend that pursuant to the direction of this Court, a notice was sent to the petitioner on 20.05.2016 for his appearance on 31.05.2016

and accordingly, on 31.05.2016 the petitioner appeared for an enquiry and the land was also inspected in the presence of the petitioner. Further, an enquiry was conducted in which witnesses were examined and documents were marked. After considering the oral and documentary evidence, the respondent passed an order dated 10.06.2016 stating that the value of the land in question will be approximately Rs.1,500/- per square feet and that proceedings under Section 47 A (1) of The Indian Stamp Act have been initiated and the document is now pending on the file of Special Deputy Collector (Stamps), Cuddalore. Thus, by placing reliance on the counter affidavit of the respondent and the fact that an order dated 10.06.2016 was passed by the respondent in compliance with the order passed by this Court, the learned Government Advocate would contend that the order passed by this Court has been complied with by the respondent and prayed for dismissal of the contempt petition.

4. The learned counsel for the petitioner fairly submitted that the order passed by this Court has been complied with by the respondent by passing an order dated 10.06.2016.

5. Having regard to the aforesaid submission of the
<https://hcservices.ecourts.gov.in/hcservices/>
counsel for both sides, this Court is of the view that there

is nothing survives for adjudication in this contempt petition. Accordingly, the contempt petition is closed. No costs.

SD/-
ASSISTANT REGISTRAR (COMM.CASES)

rsh

//Certified to be true copy//

Dated at Madras this the day of 2019.

COURT OFFICER(O.S.)

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PS/27/11/2018