

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :20.12.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

Contempt Petition No.2674 of 2018
in
W.P.No.31017 of 2017

1.S.Dinesh Kumar

2.S.Sathish Kumar

.. Petitioners

--vs--

Mrs.Manjula,
The District Registrar (ADMIN),
District Registration Office,
1st Floor Kuralagam Building,
Chennai - 600 108.

.. Respondent

Prayer: Contempt Petition filed under Section 11 Contempt of Courts Act, 1971, praying to punish the respondent for having disobedience of the order passed by this Court passed in W.P.No.31017 of 2017 31.08.2018.

For Petitioners : Mr.R.Arun Kumar

For Respondent : Mr.M.Thamilarasan,
Government Advocate

O R D E R

The Contempt Petition on hand is for having disobedience of the order passed by this Court passed in

<https://hcservices.ecourts.gov.in/hcservices/>
W.P.NO.31017 of 2017 31.08.2018.

2. The learned Government Advocate for the respondent, at the first instance, informed this Court that the contempt petition is premature as the same is filed even before the expiry of 12 weeks time granted by this Court in its order dated 31.08.2018 and therefore, the contempt petition is liable to be dismissed in limine.

3. This Court passed an order dated 31.08.2018 in W.P.No.31017 of 2018 and the relevant paragraph No.3 of the order is extracted hereunder:

"3. Thus, the authorities concerned shall proceed with the enquiry by providing opportunity to all the parties concerned and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order".

4. It is unambiguously stated that the authorities concerned shall proceed with the enquiry and pass orders within a period of 12 weeks from the date of receipt of a copy of the abovesaid order.

5. By verifying the seal of the High Court of Judicature at Madras, the application made on 03.09.2018, stamps called for on 10.10.2018, stamps deposited on 10.10.2018, copy made ready on 10.10.2018 and the copy was

delivered on 11.10.2018. Thus, the period of 12 weeks granted has not been expired. The contempt petition is filed even before the completion of the period of 12 weeks granted by this Court to the respondents to pass orders on merits and in accordance with law.

6. It is painful to pen down that the learned counsel appearing on behalf of the petitioner even without verifying the orders of this Court, hurriedly filed the contempt petition without even understanding the seriousness involved in the petition filed under the Provisions of the Contempt of Courts Act, 1971.

7. The learned counsel for the petitioner has not taken care to verify the dates and the directions issued by this Court. Even today, when the matter is called, the learned counsel for the petitioner remained absent and by passing over the matter, the information was provided to the learned counsel for the petitioner by the learned Government Advocate for the respondent. However, taking note of the fact that the learned counsel for the petitioner is a young advocate and taking a lenient view, this Court is inclined to impose a token cost of Rs.500/- to be paid to the High Court Legal Services Authority, on or before 3rd January, 2019.

8. Post the matter "For Reporting Compliance" on 4th January, 2019.

9. Accordingly, the contempt petition stands dismissed. However, there shall be no order as to costs.

SD/-

ASSISTANT REGISTRAR (COMM.CASES)

pns

//Certified to be true copy//

Dated at Madras this the day of 2019.

COURT OFFICER (O.S.)

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Ps/10/01/2019

To

The District Registrar (ADMIN),
District Registration Office,
1st Floor Kuralagam Building,
Chennai - 600 108.