



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.04.2018

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THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Contempt Petition(MD) No.1586 of 2016

in

W.P(MD)No.3169 of 2016

T.Jeyasankar

... Petitioner

Vs.

M.Sankaranarayanan
Tahsildar,
Office of the Tahsildar,
Tuticorin.

... Respondent

Contempt Petition filed under Section 11 of Contempt of Courts Act, 1971 to proceed against the contemnor/respondent for contempt of Court and punish suitably for the wilful violation and disobedience of the orders passed by this Court in W.P(MD)No.3169 of 2016 on 23.02.2016.

Prayer in WP(MD)No.3169/ 2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a WRIT OF MANDAMUS directing the respondents to issue a Patta with respect to the Plot No.72 in S.No.180/3A in Sankaraperi Village, Tuticorin District, in the name of the Petitioner, based on his representation dated 31.07.2015 followed by a legal Notice dated 26.09.2015.

For Petitioner	: Mr.S.Kadarkarai
For Respondent	: Mr.V.R.Shanmuganathan Special Government Pleader

ORDER

This Contempt Petition is filed complaining that the order passed in the writ petition in W.P(MD)No.3169 of 2016 dated 23.02.2016 has not been complied with.

2. On the other hand, Mr.V.R.Shanmuganathan, learned Special Government Pleader appearing for the respondent/contemnor submitted that by passing an order dated 19.07.2017, the



respondent has already complied with the order passed in the writ petition.

3. The said contention of the learned Special Government Pleader is objected to by Mr.S.Kadarkarai, learned counsel for the petitioner. According to him, the rejection order issued by the respondent/contemnor is without considering the Civil Court decree granted in favour of the petitioner. Therefore, he submitted that the respondent has not complied with the order passed in the writ petition in full.

4. Heard both sides and perused the order passed in the writ petition.

5. It is evident from the perusal of the order passed in the writ petition that this Court only directed the respondent herein to pass appropriate orders on the representation of the petitioner dated 31.07.2015, on merits and in accordance with law, without expressing any opinion on the merits of the issue involved. Therefore, once an order is passed on the petitioner's representation and if such an order is against the interest of the petitioner, it is for him to challenge the same before the appropriate forum. It is now admitted before this Court that the petitioner has already challenged the said order before the appellate authority. When such being the factual position, I do not think this Contempt Petition is maintainable, more particularly, when this Court is fully satisfied that the respondent herein has complied with the order passed by this Court.

6. Accordingly, this Contempt Petition is closed without expressing any view on the merits and contention raised by the contempt petitioner by leaving such contention open to be agitated in the matter which is pending before the appellate authority. No costs.

Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

+ 1 CC TO Mr.S.KADARKARAI, ADVOCATE IN SR No. 60385

SKN

TE/JC/SAR-4 : 26/04/2018 : 2P/2C