

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

Contempt Case No.1444 of 2014

ORDER:

This Contempt Case is filed alleging violation of the order passed by this Court in W.P.No.38304 of 2012 dated 13.12.2012 whereby the Tahsildar was required to consider the petitioner's request for grant of pattadar pass book, within two months from the date of receipt of the petitioner's application in Form VI-A. On the ground that the said order was not complied with, the petitioner filed the present contempt case on 28.08.2014.

Along with the counter-affidavit, filed by the Tahsildar, is enclosed an endorsement whereby the petitioner was called upon to produce copies of the proceedings of the Special Deputy Collector, and the title deeds, for examination to enable their application, for grant of pattadar pass books, to be considered. It is the case of the Tahsildar that, though this endorsement was issued on 13.04.2013, the petitioner did not produce the said documents even till the date on which the counter affidavit was filed on 29.12.2014.

Sri P.R.K.Amarendra Kumar, learned counsel for the petitioner, would submit that the petitioner has produced a copy of the proceedings of the Special Deputy Collector thereafter. Learned counsel would, however, express ignorance as to whether the petitioner has produced a copy of the title deeds.

Since Sri P.R.K.Amarendra Kumar, learned counsel for the petitioner, admits that, despite the endorsement dated 13.04.2013, the document was not produced before the Tahsildar even when the Contempt Case was filed or even till the date a counter-affidavit was filed by the respondent, the respondent-Tahsildar cannot be said to have violated the aforesaid order passed by this Court, much less wilfully and deliberately. I see no reason, therefore, to proceed against the respondent-Tahsildar under the Contempt of Courts Act.

Suffice it to make it clear that this order shall not disable the Tahsildar to consider the petitioner's earlier application, if all the documents sought for have been subsequently produced, in accordance with law.

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The Contempt Case is, accordingly, dismissed. Miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

20th July, 2018
JSU



(RAMESH RANGANATHAN, J)

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Date: 20.07.2018

JSU