

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2019

CORAM:

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Cont. P.No.98 of 2019

N. Shanmugam

... Petitioner

Vs.

Mr. K.A.Periyasamy,
The Executive Engineer,
Tamil Nadu Housing Board,
Surampatti Nall Road,
Erode.

... Respondent

PRAYER : Petition filed under Section 11 of the Contempt of Courts Act 1972 to punish the respondent for his willful disobedience and non compliance of the orders of this Court made in W.P.No.26136 of 2018, dated 05.10.2018 under the provisions of Contempt of Courts Act.

For Petitioner : Mr. C.Prakasam

For Respondent : Mr. D.Raja, AGP for RDO in W.P
: Mr. I.Satish, AGP for TNHB

ORDER

This Court, by an order dated 05.10.2018 in W.P.No.26136 of 2018 directed the third respondent therein to deposit the compensation to the credit of the second

respondent therein within a period of four weeks and on receipt of the said amount, the second respondent was directed to disburse the compensation to the petitioner within two weeks thereafter. Since the order has not been complied with, the present Contempt Petition has been filed.

2. Today, when the matter is taken up for hearing, the learned counsel appearing for the respondent submits that pursuant to the order passed by this Court, the respondent has deposited the compensation amount after deducting the TDS as per law.

3. Per contra, the learned counsel for the petitioner would submit that the petitioner is an agriculturist and he is not an income tax assessee. In the above circumstances, no TDS amount shall be deducted in the compensation.

4. This Court only directed the third respondent to deposit the compensation amount. If at all there is any dispute regarding the deduction of TDS amount, it is open to the petitioner to challenge the same in the manner known to law. It can not be adjudicated in the Contempt Petition.

5. Since the order passed by this Court has been complied with, this contempt petition is closed, as no further adjudication is required in this petition.

SD/-

ASSISTANT REGISTRAR (COMM.CASES)

mrp

//Certified to be true copy//

Dated at Madras this the day of 2020.

COURT OFFICER (O.S.)

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SMI/29/01/2020

To

The Executive Engineer,
Tamil Nadu Housing Board,
Surampatti Nall Road,
Erode.

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