

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **24.06.2019**

CORAM:

THE HONOURABLE MR.JUSTICE **S.MANIKUMAR**
and
THE HONOURABLE MR.JUSTICE **SUBRAMONIUM PRASAD**

Cont.P.No.936 of 2019

M/s.Asset Reconstruction Company (India) Ltd.,
Rep. by its Authorised Officer,
The Ruby, 10th Floor,
29, Senapati Bapat Marg, Dadar (West),
Mumbai - 400 028. .. Petitioner

Versus

Ms.Rohini Bhajibhakare, IAS,
The District Collector
(The District Magistrate),
Salem District, Salem. .. Respondent

Prayer: This Contempt Petition filed under Section 11 of the Contempt of Court Act, 70/71 to punish the respondent for having committed contempt of Court for disobeying the order dated 19.07.2018 made in WP.No.18339 of 2018.

For Petitioner : Mr.Ilaya Raja
for M/s.Ramalingam and Associates.

For Respondent : Mr.E.Manoharan
Additional Government Pleader

O R D E R

(Order of the Court was made by **S.MANIKUMAR, J.**)

Alleging willful disobedience in not complying with

<https://hcservices.ecourts.gov.in/hcservices/>

the order dated 19.07.2018 in WP No.18339 of 2018, M/s.Asset

Reconstruction Company (India) Ltd., has filed the instant contempt petition against the District Collector, Salem District.

2. On 19.06.2019, when the matter came up for hearing we directed Mr.E.Manoharan, learned Additional Government Pleader to get appropriate instructions.

3. Reverting, Mr.E.Manoharan, learned Additional Government Pleader submitted that by 01.07.2019, orders would be issued in the application filed under Section 14 of the SARFAESI Act, 2002.

4. Judicial notice can be taken in respect of duties and functions of the District Collector, under various enactments, implementation of the social welfare schemes, measures to be taken at times of emergency situation. As the head of revenue administration in district, the Collector is responsible for the following functions:

- (i) To collect land revenue.
- (ii) To collect other government dues.
- (iii) To distribute and recover taccavi loans.
- (iv) To maintain land records.
- (v) To collect rural statistics.

(vi) To exercise the power of land acquisition officer, that is, acquiring land for the purpose of colonisation, industry, slum clearance, capital construction and so on.

(vii) To implement land reforms.

(viii) To look after the welfare of the agriculturists.

(ix) To make an assessment of losses of crops and recommend relief during natural calamities like fire, drought and flood.

(x) To supervise treasury and sub-treasury.

(xi) To enforce Stamp Act.

(xii) To pay rehabilitation grant.

(xiii) To manage government estates.

(xiv) To hear revenue appeals against the orders of lower authorities.

(xv) To pay Zamindari abolition compensation.

5. In the light of the submission of the learned Additional Government Pleader and taking note of the duties and responsibilities of the District Collector, we are of the view that there is no willful and deliberate act of contempt committed by the respondent.

1. Inasmuch as the District Collector, Salem District has assured that application dated 20.12.2016 filed under Section 14 of the SARFAESI Act, 2002, would be disposed of by 01.07.2019, we are not inclined to retain

the instant contempt petition, and thus, dispose of the same. We make it clear that assurance made before this Court should be honoured. Contempt Petition is closed. No Costs.

SD/-

ASSISTANT REGISTRAR (COMM.CASES)

ars/skm

//Certified to be true copy//

Dated at Madras this the day of 2019.

COURT OFFICER (O.S.)

from 25th day of September 2008 the Registry is issuing Certified copies of the Orders/Judgments/Decrees in this format.

Sim/25/07/2019

To

Ms.Rohini Bhajibhakare, IAS,
The District Collector
(The District Magistrate),
Salem District, Salem.

सत्यमेव जयते
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