

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.11.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

Cont P.No.1849 of 2019

C.Appusamy
S/o.Chinnappa Gounder ... Petitioner

.Vs.

Mrs.Kavitha Saraswathi
The Joint Commissioner
Office of the Hindu Religious and Charitable Endowment
Administration Department
Salem-4. ... Respondent

Contempt Petition filed under Section 11 of the Contempt of Courts Act 1971, praying to punish the respondent for having committed contempt of Court for disobeying the order dated 08.02.2019 made in W.P.No.28638 of 2018 in accordance with law.

For Petitioner : Mr.M.Rajasekhar
For Respondent : Mr.M.Maharaja
Special Government Pleader

ORDER

This Contempt Petition is filed by complaining that the order passed by this Court in W.P.No.28638 of 2018 dated 08.02.2019 has not been complied with.

2. Mr.Maharaja, learned Special Government Pleader takes notice for the respondent.

3. While disposing the above writ petition, this Court observed at paragraph Nos. 2 & 3 as follows:

"2. The grievance of the petitioner is that the periodical festival to the subject matter temple are not being conducted and he made a representation on 22.06.2012 to conduct such festival and the same has not been considered.

3. This Court, at this stage, is not expressing any view on the merits of such contention, as it is for the respondents to consider and decide. Since the petitioner has already made a representation on 22.06.2012, the petitioner is directed to make one more representation to the second respondent within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation, the second respondent shall consider the grievance of the petitioner and pass appropriate orders on merits and in accordance with law within a period of four weeks thereafter."

4. According to the petitioner, he has given one more representation as directed by this Court and however, the respondent/Joint Commissioner, HR&CE Department, has not considered the grievance of the petitioner so far.

5. On the other hand, the learned Special Government Pleader for the respondent, based on instructions, submitted that no such representation was given by the petitioner.

6. Mr.M.Rajasekhar, learned counsel for the petitioner submitted that the said representation was given in person.

However, a copy of the said representation has not been placed before this Court.

7. Therefore, this Court finds that the present action of the petitioner in initiating contempt proceedings is highly premature, as the petitioner himself has not complied with the order as extracted supra. Therefore, the petitioner is directed to give a representation to the respondent within a period of two weeks from the date of receipt of a copy of this order. The respondent shall consider the grievance of the petitioner and pass appropriate orders within a period of four weeks thereafter.

With the above observations, this contempt petition is closed.

SD/-

ASSISTANT REGISTRAR (COMM.CASES)

mk

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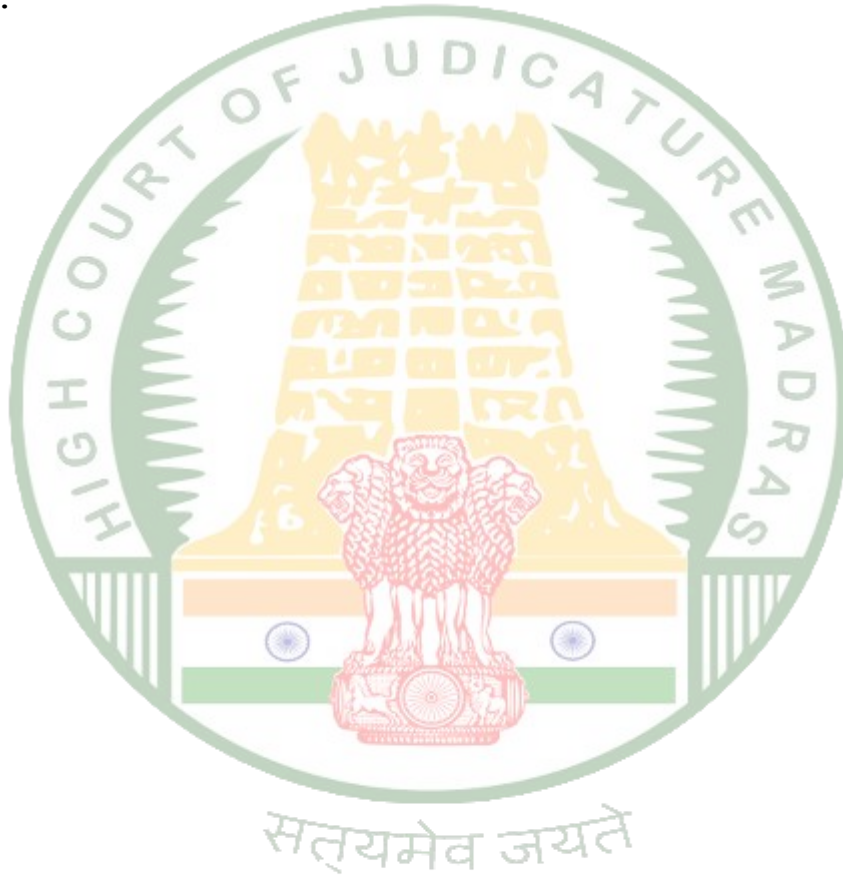
Dated at Madras this the day of 2019.

COURT OFFICER (O.S.)

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To

The Joint Commissioner
Office of the Hindu Religious and Charitable Endowment
Administration Department
Salem-4.



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