



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.09.2019

CORAM:

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cont.P.(MD).No.1295 of 2019
in
W.P.(MD)No.1544 of 2019

K.Gunasekaran

..Petitioner/Petitioner

Vs.

T.S.Rajasekaran, I.A.S,
The District Collector,
Madurai District, Madurai.

..Contemnor/Respondent 2

PRAYER: Contempt Petition is filed under Sections 11 of the Contempt of Courts Act, to punish the contemnor/respondent herein for his willful disobedience of the order passed by this Court in W.P.(MD)No.1544 of 2019, dated 28.01.2019.

Prayer in WP(MD). 1544/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of mandamus, directing the Respondents 1 and 2 herein to accord necessary prior sanction as contemplated under Section 197 of the Code of Criminal Procedure code, 1973 in the light of the representation of the petitioner dated 08.12.2018 in order to initiate appropriate criminal prosecution by the petitioner before the competent criminal Court as against the respondents 6 to 11 herein

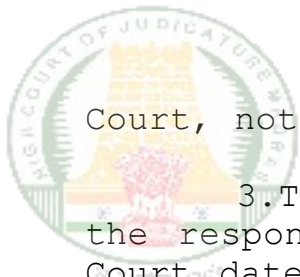
For Petitioner : Mr.A.Saravanan

For Respondent : Mr.R.Anandharaj,
Additional Public Prosecutor

O R D E R

This contempt petition has been filed to punish the respondent for disobeying the order passed by this Court in W.P.(MD)No.1544 of 2019, dated 28.01.2019.

2.The learned counsel appearing for the petitioner submitted that this Court, by an order dated 28.01.2019, directed the respondent to consider the petitioner's representation dated 08.12.2018 and pass orders within a period of eight weeks from the date of receipt of a copy of the order. Despite the order of this



Court, not order has been passed. Hence, the contempt petition.

3.The learned Additional Public Prosecutor appearing for the respondent submitted that in pursuance of the order of this Court dated 28.01.2019, the respondent has passed an order dated 16.09.2019, rejecting the petitioner's representation dated 08.12.2018.

4.The learned counsel appearing for the petitioner also submitted that the sanction for prosecuting the revenue official is necessary as they defrauded the petitioner as well as the Court.

5.But, the learned Additional Public Prosecutor submitted that the petitioner can directly approach the learned Judicial Magistrate for prosecuting the revenue officials. Therefore, the sanction is not necessary.

6.In view of the above, no contempt is made out as against the respondents. Hence, this Contempt Petition is dismissed.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

das
To

1.The Secretary to Government,
Revenue Department,
Fort.St.George, Secretariat, Chennai-9.

2.The District Collector,
Madurai District, Madurai.

3.The District Revenue Officer,
Maduraik District, Madurai.

4.The Revenue Divisional Officer,
Madurai District, Madurai.

5.The Tahsildar,
Madurai South Taluk, Madurai.



6.The Tahsildar,
Madurai West Taluk, Madurai.

+1 CC to M/s.A. SARAVANAN, Advocate (SR-90639[F] dated 01/10/2019)

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KM/ (23.10.2019) 3P 8C