



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.12.2019

CORAM:

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THE HONOURABLE MR.JUSTICE S.S.SUNDAR

Cont P.(MD).No.1532 of 2019
in
W.P.(MD).No.7086 of 2018

P.S.Innasi Sesuraj

.. Petitioner/Petitioner

Vs.

Mr.T.G.Vinay,
The District Collector,
Dindigul District, Dindigul,
presently at
The District Collector,
Ariyallur District, Ariyallur.

.. Contemnor/3rd respondent

Prayer: Contempt petition filed under Section 11 of the Contempt of Courts Act, 1971, to punish the respondents for wilful, deliberate disobedience to the order of this Court dated 02.04.2018 passed in W.P.(MD).No.7086 of 2018.

Prayer in WP(MD)No.7086 of 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Certiorarified Mandamus call for the records of the 3rd respondent in Na.Ka.No.37221/2017/C2 dated 19.03.2018 quash the same as illegal and forbearing the 9th respondent from conducting the Jallikattu on 02.04.2018 based on the orders passed by the 3rd respondent in Na.Ka.No.37221/2017/C2 dated 19.03.2018.

For Petitioner	: Mr.T.Selvam
For Respondent	: Mr.A.K.Baskara Pandian Special Government Pleader

ORDER

The petitioner has preferred this contempt petition alleging that the respondent has not complied with the direction and wilful disobeyed the direction of this Court in the order, dated 02.04.2018 in W.P.(MD).No.7086 of 2018.

2.After considering the petitioner's case and the contesting respondent, this Court disposed of the writ petition in W.P.(MD).No.7086 of 2018, dated 02.04.2018 in the following lines.

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



"The order that may be passed in the ensuing year in the application that may be given by the writ petitioner or respondent No.9 shall be communicated to the writ petitioner or respondent No.9, within three working days from the date of the order irrespective of the outcome."

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3.From the reading of the order, it is seen that the earlier writ petition itself was filed by the petitioner as against the order in favour of ninth respondent. Since the writ petitioner also made an application for conducting Jallikattu for the ensuing year, this Court directed the official respondents to process the same and to pass appropriate orders in accordance with Tamilnadu Regulation of Jallikattu Act, 2009 and the same should be communicated. The only contention raised by the petitioner in this petition is that the District Collector has passed an order without following Tamilnadu Regulations of Jallikattu Act, 2009. The learned counsel further submitted that permission has been granted to the 9th respondent without following the provisions of the Act, which stipulates that a person who seeks permission for the first time is not entitled to. The fact that the event was conducted earlier is not in dispute.

4.This Court cannot go into the contentious issues between the petitioner and the 9th respondent in the present contempt petition. Merely, because the petitioner contend that the District collector has passed an order without following the Tamilnadu Regulation of Jallikattu Act, 2009, it cannot be said that the order is not in compliance of the direction of this Court. Especially, this Court has not given any positive direction either to give in favour of the petitioner or to the 9th respondent. The only direction is that the respondent should pass the order and communicate the same to the writ petitioner. When that is done, the petitioner finding that the order is not in his favour, comes before this Court with the present contempt petition.

5.A civil contempt lies only when a person wilfully disobey the order or with an intention to disobey the order has done something. From the allegations this Court is unable to find any wilful disobedience of the order of this Court by the respondent. There is no merit in this contempt. Hence, this contempt petition is closed. It is open to the petitioner to challenge the order of respondent, if he is aggrieved.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



To

T.G.Vinay,
District Collector,
Dindigul District, Dindigul,
presently at
The District Collector,
Ariyallur District, Ariyallur.

+1 CC to M/s.T.SELVAM, Advocate (SR-103528[F] dated 05/12/2019)
+1 CC to M/s.SPL GP (SR-103558[F] dated 05/12/2019)

TM

TE : 07/01/2020 : 3P/4C

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