



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **08.08.2019**

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

CONT.P.(MD)No.1558 of 2018

in

W.P.(MD)No.13028 of 2018

Ramalingam

... Petitioner/Petitioner

-Vs-

Jeyakumar
Branch Manager,
Indian Bank,
Bazaar Main Road,
Pudupatti, Pudukkottai District. ... Contemnor/Respondent

Prayer: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, to punish the contemnor/respondents for their wilful disobedience of the order of this Court in W.P(MD).No.13028 of 2018 dated 22.06.2018.

Prayer in WP(MD). 13028 of 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the Respondent to grant Agricultural loan to the petitioner as per available farmers scheme.

For Petitioner : Mr.RM.Arun Swaminathan
For Respondent : Mr.Pala Ramasamy
Standing Counsel

ORDER

This contempt petition has been filed for the alleged disobedience of the order of this Court, dated 22.06.2018 made in W.P(MD).No.13028 of 2018.

2.When the contempt petition came up for hearing in earlier occasion, the learned counsel appearing for the petitioner submitted that, the order of this Court has not been complied with, despite the legal notice has been given in this regard to the respondent on 10.09.2018.

3.However, today, when the contempt petition is taken up for hearing, the learned Standing Counsel appearing for the respondent Bank, on instructions, submits that a direction was given by this Court, vide order dated 22.06.2018 in W.P(MD).No.13028 of 2018, to



the petitioner to give an application seeking loan in the prescribed format along with necessary documents and on receipt of such format application with necessary documents, the respondent Bank was directed to consider the same, as per the Banking Rules and decide the same, on merits, within a time frame. However, so far, no such application has been submitted by the petitioner and therefore, the question of considering such application, as has been directed by this Court, does not arise. Hence, the learned Standing Counsel submits that, this contempt petition has been filed without any reason and absolutely there is no willful disobedience on the part of the respondent.

3.I have heard the said submission made by the learned Standing Counsel appearing for the respondent and I have gone through the materials filed before this Court.

4.In the typed set of documents filed in this contempt petition, no copy of the application to that effect, as directed by this Court, had been filed by the petitioner.

5.However, the learned counsel for the petitioner submitted that, when the petitioner approached the respondent Bank Manager, to give a format application, that was refused. However, there is no proof to that effect and no communication whatsoever in writing has been undertaken between the petitioner and the respondent Bank, as per the order passed by this Court, dated 22.06.2018. Therefore, it is quite clear that, the directive issued by this Court to the petitioner to give an application in format with necessary documents has not been complied with. When that being the position, there is no meaning in blaming the respondent and therefore, this Court feels that nothing is there to proceed against the respondent in this contempt petition.

6.In that view of the matter, this Contempt Petition is closed.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

Sub Assistant Registrar(CS)

rmk

Order made in
CONT.P.(MD)No.1558 of 2018
in
W.P.(MD)No.13028 of 2018
08.08.2019

DB (CO)

TR(21.11.2019) 2P 1C

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