



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE **D.KRISHNAKUMAR**

Contempt Petition (MD)No.759 of 2020

in

W.P. (MD)No.16550 of 2019

WEB COPY

1.C.Rajasekaran
2.S.Arivuchutar
3.I.Kamarudeen
4.G.Mariappan
5.I.Bharathi

...Petitioners 1 to 5/Respondents 11 to 15

vs.

J.Jayakanthan, I.A.S.,
The District Collector,
Sivagangai District,
Sivagangai.

...Contemnor /3rd Respondent
3rd Respondent

PRAYER : Contempt Petition is filed under Section 11 of the Contempt of Courts' Act, 1971, to punish the contemnor for wilful disobedience of the order passed by this Court in W.M.P.(MD)No.13197 of 2019 in W.P.(MD)No.16550 of 2019, dated 25.07.2019 under the Contempt of Courts Act, 1971.

Prayer in WMP(MD) . 13197/ 2019 :

To grant interim stay of all further proceedings in pursuant to the proceedings dt.16.10.2017 of the 2nd respondent in circular No.13 of 2017 Roc.No.SCR/3(2)/12304/2017 proceedings of the 3rd respondent herein dt.25.06.2019 in Na.Ka.No.A1/13701/2017, Proceedings of the 3rd respondent Dt.29.06.2019 in Roc.No.A1/18298/2018 and the proceedings of the 3rd respondent dt.1.7.2019 and 4.7.2019 in Na.Ka.No.A1/003/2019 pending disposal of the above WP and thus render justice.

Prayer in WP(MD) . 16550/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Calling for the records relating to the dt.16.10.2017 of the 2nd respondent in Circular No.13 of 2017 Roc.No.SCR/3(2)/12304/2017 proceedings of the 3rd respondent herein dt.25.06.2019 in Na.Ka.No.A1/13701/2017 proceedings of the 3rd Respondent dated 29.06.2019 in Roc.No.A1/18298/2018 and the proceedings of the 3rd Respondent dated 01.07.2019 and 04.07.2019 in Na.Ka.No.A1/003/2019 and quash the same.



For Petitioner : Mr.Veerakathiravan, Senior Counsel,
for Mr.C.Gangai Amaran.
For Respondents : Mr.K.Chellapandian,
Additional Advocate General
assisted by Mr.C.Ramesh,
Special Government Pleader.

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O R D E R

By raising the ground that the respondent has disobeyed the interim order granted in the aforesaid writ petition, this Contempt Petition is filed.

2.The learned counsel appearing for the petitioners submitted that W.P.(MD)No.16550 of 2019, has been filed by one K.Subramanian and others. They have also filed in W.M.P.(MD)No.13197 of 2019. By order dated 25.07.2019, this Court has granted an order of Status Quo.

3.He further submitted that the respondent has passed an order by proceeding in Na.Ka.A1/003/2019, dated 11.10.2019 and proceeding in Na.Ka.No.A2/05/2019, dated 18.10.2019.

4.The learned Additional Advocate General appearing for the respondent submitted that in W.M.P.(MD)No.13197 of 2019, Status Quo granted only for a period of two weeks. The petitioners are respondents in the writ petition. Therefore, this contempt petition filed by the petitioners is not maintainable.

5. In view of the above said submissions, this Court granted Status Quo on 25.07.2019, only for a period of two weeks. Subsequently, the respondent passed an order dated 18.10.2019, at that time the interim order of this Court is not in force. Therefore, the allegation made by the petitioner against the respondent for wilful disobedience, cannot be accepted. No other material has been placed by the petitioners for the same. If the petitioner is aggrieved by the said order, he can workout his remedy in the manner known to law. There is no case made against the respondent for the disobedience of the order passed by this Court.

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

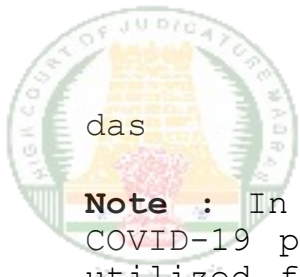
Sd/-

Assistant Registrar ()

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/ /2020

Sub Assistant Registrar(CS)



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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

J.Jayakanthan, I.A.S.,
The District Collector,
Sivagangai District,
Sivagangai.

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(CO)

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