



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.01.2020

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THE HONOURABLE **MR. JUSTICE S.S.SUNDAR**

Cont.P.(MD)No.1824 of 2019
in
W.P.(MD)No.14164 of 2018

Augustus SamuelDodd

... Petitioner

Vs.

1.Santhosh Sharma,
The Director (FCRA),
Ministry of Home Affairs
FCRA Wing, 1st Floor,
Major Dhayan Chand National Stadium,
Near Pragati Maidan,
New Delhi-110 001.

2.V.K.Verma,
The Director (Monitoring Unit),
Ministry of Home Affairs
FCRA Wing, 1st Floor,
Major Dhayan Chand National Stadium,
Near Pragati Maidan,
New Delhi-110 001.

... Respondents

Prayer: Contempt Petition is filed under Section 11 of the Contempt of the Court Act, 1971, to punish the respondents for deliberate and wilful disobedience of the order passed by this Court in W.P.(MD)No.14164 of 2018, dated 18.09.2018.

Prayer in WP(MD). 14164/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the respondent 1 to 3 to take appropriate action against the respondents 4 and 5 under the provisions of Foreign contribution (Regulation) Act 2010 on the basis of the representation dated 21.03.2018.

For Petitioner : Mr.B.Saravanan

For Respondents : Mr.G.Rajaraman,
Central Government Standing Counsel

**ORDER**

This Contempt Petition has been filed to punish the contemnors/respondents herein for their wilful disobedience of the order of this Court in W.P.(MD)No.14164 of 2018 passed on 18.09.2018.

2.In the writ petition, counter affidavit was filed on behalf of the respondents 1 to 3 wherein it is stated that the report from the field agency has been sought for and that action will be initiated as per the provisions of Foreign Contribution (Regulation) Act, 2010, if any violation of the FCRA provisions is established. Stating that no proceedings has been initiated as it was reported in the writ petition, this contempt petition is filed.

3.The learned standing counsel appearing for the respondents submitted the allegation levelled by the petitioner against the YMCA and the School run by the YMCA could not be corroborated as per the field agency report. Since a specific stand that has been taken by the respondents that there is no cause for taking action against the respondents in the writ petition under the FCRA rules, the learned counsel appearing for the respondents submitted that this contempt petition may be closed. Learned counsel appearing for the petitioner has no serious objection. Hence, this contempt petition is closed.

4.The learned counsel appearing for the petitioner submitted that petitioner may be furnished with the copy of the field agency report.

5.The learned counsel appearing for the respondent submitted that the report of the field agency is not a public document and that secret should be maintained.

6.Though this Court is not expressing any opinion on the statement of the learned counsel appearing for the respondents, the petitioner can take appropriate action for getting report under Right to Information Act, if it is a public document. Considering the nature of the grievance expressed by the petitioner, the respondents may pass order on the representation of the petitioner, and shall furnish the copy of the order within three weeks from the date of passing order.

Sd/-

Assistant Registrar ()

// True Copy //



Gns

To

1.Santhosh Sharma,
The Director (FCRA),
Ministry of Home Affairs
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+1 CC to Mr.G.RAJARAMAN, Advocate (SR-1153[F] dated 09/01/2020)

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