



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.07.2020

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cont P(MD).No.1319 of 2018

in

W.P. (MD) .No.8500 of 2018

WEB COPY

S.Kubendran

...Petitioner/Petitioner

Vs.

A.Elangovan,
The General Manager,
Dindigul Central Co-operative Bank Limited,
Trichy Road,
Dindigul Town,
Dindigul.

...Contemnor/Respondent

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondent for deliberate and willful disobedience of the order passed by this Court in W.P.(MD).No.8500 of 2018, dated 18.04.2018.

Prayer in WP(MD). 8500/ 2018 :

Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 2 to 4 to return the documents detailed in the tabular column mentioned in the schedule to the petitioner on the basis of his representation dated 29.11.2017 caused by the petitioner to the respondents 2 to 4 and further directing the fourth respondent to clear the encumbrance in respect of the property in survey no.299/7 admeasuring 44 cents, Survey No.298/3 admeasuring 30cents and Survey No.299/3 admeasuring 6 cents, Nagaiyakottai Village, Vedasandur Taluk, Dindigul District by cancelling the mortgage created upon the landed property.

For Petitioner

: Mr.B.Saravanan

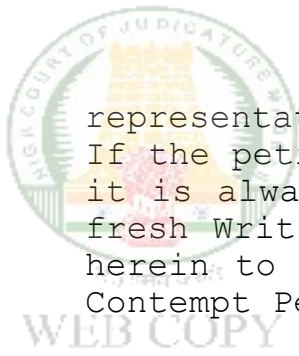
For Respondent

: Mr.D.Shanmugarajasethupathi
Standing counsel

ORDER

The petitioner alleges non compliance of the direction passed by this Court on 18.04.2018 made in W.P.(MD).No.8500 of 2018.

2.I went through the said order. It is only a direction to the respondent to dispose of the petitioner's representation. The respondent has informed the petitioner that if he approaches the respondent, they are ready to cancel the encumbrance created on the property in question. I am of the view that when an order to dispose of the petitioner's representation alone was passed and the



representation was also disposed of, contempt as such will not lie. If the petitioner is still aggrieved by the stand of the respondent, it is always open to the petitioner to move this Court by filing a fresh Writ Petition. Therefore, granting liberty to the petitioner herein to file a fresh Writ Petition if he is still aggrieved, the Contempt Petition stands closed.

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Tsg

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

A.Elangovan,
The General Manager,
Dindigul Central Co-operative Bank Limited,
Trichy Road,
Dindigul Town,
Dindigul.

Cont P(MD).No.1319 of 2018
in
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KB(28.07.2020) 2P 2C