

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.04.2021

CORAM

THE HON'BLE Mr. JUSTICE V.PARTHIBAN

Cont.P.No.141 of 2020

1.M.Kanniyappan,
No.90, Murugur,
Sithoor Road, Akkur Post,
Tiruttani 631 209,
Thiruvallur District

2.S.Udaya Prakash,
No.3, Nallankulam Street,
Amirthapuram,
Tiruttani 631 209

3.Munusamy,
No.14, Arundhathi(colony),
Kumarakuppam,
Akkur Post,
Tiruttani Taluk 631 209

4.G.Venkatesan,
No.20 T, Puthur Road,
Arundhadiyar(colony),
Tiruttani Taluk 631 209

5.M.Sankaran,
Arunkulam Village 631 201
Tiruttani Taluk,
Thiruvallur Taluk

... Petitioners/ Petitioners

Vs.

Tmt.Rajalakshmi
The Commissioner,
Tiruttani Municipality,
Tiruttani.

... Respondent/3rd Respondent

Prayer : Petition filed under Section 11 of the Contempt of Courts Act, 1971, to punish the respondent for their willful disobedience in not complying with the order dated 17.06.2019, passed by this Court in W.P.No.2700 of 2018.

For Petitioners :Mr.G.Sankaran

For Respondent :Mr.P.Srinivas, GA

ORDER

This contempt petition has been filed to punish the respondent for their willful disobedience in not complying with the order dated 17.06.2019, passed by this Court in W.P.No.2700 of 2018.

2. This Court vide order dated 17.06.2019, directed the third respondent to dispose of the representation of the petitioners therein. The same has been complied with by the respondents.

3. Now, the learned counsel for the petitioner would submit that the manner in which the order was passed, rejecting the claim of the petitioner is contrary to the spirit of the order, for which, the direction was ultimately given.

4. Although the arguments of the learned counsel may have some substance, yet, in contempt jurisdiction, this Court cannot enlarge the scope of the directions given in the writ petition. Contempt action will have to be taken

only on deliberate disobedience or violation of the order passed by this Court. In the matter of disposal of representation of the petitioner and the same having been disposed of by the officials concerned, rejecting the request of the petitioner, this Court cannot find any wilful disobedience to pursue with the contempt petition.

5. In the said circumstances, this Court does not find deliberate contempt being committed by the respondent against whom statutory notice has been issued. However, it is open to the petitioner to workout his remedies in the manner known to law for redressing his surviving grievances.

6. For the above said reasons, the contempt petition stands closed.

7. In view of the statutory notice issued to the respondent by order dated 19.03.2021, the respondent is present through video conferencing. The presence of the respondent is recorded.

सत्यमेव जयते SD/-

ASSISTANT REGISTRAR(COMM.CASES)

gsk

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

from 25th day of September 2008 the Registry is issuing Certified copies of the Orders/Judgments/Decrees in this format.

To

The Commissioner,
Tiruttani Municipality,
Tiruttani.



WEB COPY