



Cont.P.No.559 of 2021

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M. SUBRAMANIAM

Contempt Petition No.559 of 2021

S.Purushothaman,
Hereditary Trustee,
Arulmigu Dharmaraja Thirukoil,
Papparampakkam,
No.157, Mettur Street,
Papparampakkam, -602 025,
Tiruvallur Taluk

.. Petitioner

-VS-

Mr.Udhayan,
The District Registrar,
Registration Department,
Kanchipuram,
Kanchipuram District.

.. Respondent

Petition filed under Section 11 of the Contempt of Courts Act, 1971 to
punish the respondent herein for willfully and wantonly violating the order
of this Court dated 13.08.2018 in W.P.No.27581 of 2017.

For Petitioner : Mr.T.Saikrishnan

For Respondent : Mr.T.M.Pappiah,
Special Government Pleader



ORDER

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This contempt petition is filed to punish the respondent for the wilful disobedience of the orders of this Court passed in W.P.No.27581 of 2017 dated 13.08.2018. Paragraph 9 of the order dated 13.08.2018 reads as hereunder:-

“9.In this view of the matter, the writ petitioner is directed to submit an appeal, setting out all the grounds and along with the documents to the 2nd respondent/the District Registrar within a period of three weeks from the date of receipt of a copy of this order. On receipt of any such appeal from the writ petitioner, the 2nd respondent/the District Registrar shall conduct an enquiry by affording opportunity to all the parties concerned including the Hindu Religious and Charitable Endowments (HR & CE Act) Department and pass orders on merits and in accordance with law within a period of twelve weeks thereafter.”

2.The learned counsel appearing for the contempt petitioner made a submission that the observations made by this Court in paragraph 7 of the order dated 13.08.2018 have not been complied with by the respondent/contemnor taking into consideration the observations made and



no opportunity was given as ordered by this Court.

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3.The learned Special Government Pleader appearing on behalf of the respondent/contemnor made a submission that the order of this Court has been complied with in its letter and spirit and the District Registrar, Kanchipuram passed an elaborate order considering all the facts and grounds raised by the contempt petitioner. It is a speaking order, which is passed by the District Registrar and therefore, if at all the petitioner is aggrieved, he has to approach the appellate authority in the manner known to law.

4.This Court is of the considered opinion that though certain observations are made, this Court passed an order directing the District Registrar to conduct an enquiry by affording opportunity to the parties and pass orders on merits and in accordance with law.

5.Perusal of the order dated 13.03.2018 reveals that as per the orders passed by this Court, notice was issued to the petitioner and the first respondent. The contempt petitioner appeared and submitted his objections both orally as well as in writing. Therefore, the contentions raised by the petitioner were considered and an order was passed in proceedings dated 28.04.2021. If at all the petitioner is aggrieved, from and out of the order, it is left open to the petitioner to seek for appropriate remedy in the manner



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known to law and as contemplated under the provisions of the Act. This being the factum, no further adjudication is required in the present contempt petition and accordingly, the same stands closed. No costs.

SD/-
ASSISTANT REGISTRAR(COMM.CASES)

dpq

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)
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GS/07/07/2021

To

The District Registrar,
Registration Department,
Kanchipuram,
Kanchipuram District.