



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.10.2021

CORAM

THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Cont.P.No.1191 of 2021

M.J.Venkatesan,
5/162A, Kamarajar Street,
Sathya Nagar,
Ranipet, Vellore District

..Petitioner

Vs.

Kamatchi,
The Tahsildar,
Arcot Taluk,
Vellore District

..Respondent

PRAYER:

Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondent herein for her wilful disobedience of the orders of this Court dated 05.06.2017 passed in WP.No.13761 of 2017.

For Petitioner : Mr.G.V.Sridharan
For Respondent : Mr.M.R.Gokul Krishnan,
Government Advocate

ORDER

This contempt petition has been filed to punish the respondent herein for her wilful disobedience of the orders of this Court dated 05.06.2017 passed in WP.No.13761 of 2017.



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2. The order was passed on 05.06.2017, whereas the present contempt petition has been filed only on 27.07.2021. There is absolutely no explanation for the delay of four years for filing this contempt petition. The limitation is one year for filing contempt petition from the date on which the contempt is alleged to have been committed. It is relevant to extract Section 20 of the Contempt of Courts Act, 1971 hereunder:

20.Limitation for actions for contempt—No court shall initiate any proceedings of contempt, either on its own motion or otherwise, after the expiry of a period of one year from the date on which the contempt is alleged to have been committed.

3. This Court by order dated 05.06.2017 directed the respondent to consider the representation of the petitioner dated 04.11.2016 and pass orders on merits and in accordance with law within a period of four weeks from the date of receipt of copy of the order. Therefore, immediately after four weeks from the date of receipt of copy of the order, the cause of action arose to file contempt petition. Whereas the present contempt petition has been filed only on 27.07.2021. Therefore, the contempt petition is barred by limitation and the same is dismissed.

4. However, the petitioner is at liberty to send a fresh representation

<https://hcservices.ecourtsnet.in/hcservices> to the respondent on fresh cause of action within a period of two weeks



from the date of receipt of copy of this order. If the petitioner submits any representation, the respondent is directed to consider the same and pass orders on merits and in accordance with law.

SD/-
ASSISTANT REGISTRAR(COMM.CASES)

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//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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

GS/28/01/2022

To

The Tahsildar,
Arcot Taluk,
Vellore District