



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 26.10.2021
CORAM

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

Cont.P.No.1267 of 2021

Videsh Sanchar Nigam Employees Co-operative
Housing Society Limited,
represented by its President,
V.Joseph Manoharan,
No.4, Swami Sivananda Salai,
Chennai 600 002

..Petitioner

Vs.

1.Kumar Jayant, I.A.S.,
Principal Secretary, Revenue and Disaster
Management Department,
Government of Tamilnadu,
Fort St.George,
Chennai 600 009

2.V.Muthusamy,
District Revenue Officer,
Tiruvallur District,
Office of the Collector of Tiruvallur,
Tiruvallur

3.E.Manikandan,
Tahsildhar,
Ponneri Taluk,
Tiruvallur District

..Respondents

PRAYER:

Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondents for wilful disobedience of the order of this Court including order dated 02.03.2017 in WP.No.23740 of 2014 under the Contempt of Courts Act, 1971 and also by taking judicial notice of the conduct of the respondents herein.



For Petitioner : M/s.A.Vidya
For Respondent : Mr.Richardson Wilson,
Government Advocate

ORDER

This contempt petition has been filed to punish the respondents herein for the wilful disobedience of the order of this Court dated 02.03.2017 passed in WP.No.23740 of 2014.

2. This court while allowing the writ petition, directed the respondents to make necessary alteration in the revenue records to restore the original name. The petitioner Society members are also entitled to include their names in the patta. As directed by this Court, the members of the petitioner submitted application to include their name in patta. Even then, the respondents did not consider the same and simply stated the reason that they filed appeal along with condone delay petition in CMP.Nos.878 & 879 of 2019. However, the petitioner did not file this petition within a period of one year as contemplated under Section 20 of the Contempt of Courts Act, 1971. 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.



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3. The petitioner ought to have filed contempt petition within a period of one year from the date on which the contempt is alleged to have been committed. This court allowed the writ petition and issued specific direction by order dated 02.03.2017. Whereas the present petition has been filed only on 16.08.2021. Therefore, the reasons stated by the petitioner is not sufficient to entertain the contempt petition beyond the period of four years. Therefore, the contempt petition is barred by limitation and the same is dismissed.

4. However, the petitioner's request is pending with the third respondent as directed by this Court. Considering the same, the third respondent is directed to comply with the order passed by this Court dated 02.03.2017 within a period of eight weeks from the date of receipt of copy of this order.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

lok

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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To

- 1.The Principal Secretary, Revenue and Disaster
Management Department,
Government of Tamilnadu,
Fort St.George,
Chennai 600 009
- 2.The District Revenue Officer,
Tiruvallur District,
Office of the Collector of Tiruvallur,
Tiruvallur
- 3.The Tahsildhar,
Ponneri Taluk,
Tiruvallur District