

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2021

CORAM:

THE HONOURABLE Mr. JUSTICE S.S.SUNDAR

Contempt Petition No.2872 of 2014

V.Suguna,
No.13, Chengalpet Road,
Tiruporur Post,
Kancheepuram District – 603 110 .. Petitioner/Petitioner

Vs

1.Baskaran,
District Collector,
Kacheepuram District – 603 110.

2.T.Arumugam,
Tahsildar,
Thiruporur Taluk,
Kancheepuram District. .. Respondents/1st and 4th Respondent

Contempt Petition filed under Section 11 of the Contempts of Court Act,
praying to punish the respondents for willful disobedience of the order passed by
this Court on 14.03.2013 in W.P. No.6215 of 2013.

For Petitioner : Mr. K.Kempraj
For Respondent : Mr. M.Elumalai
Additional Government Pleader

ORDER

This Contempt Petition has been filed alleging willful disobedience of the
order of this Court by a common order dated 14.03.2013 in W.P. Nos.6215 &
6216 of 2013. The relevant portions of the said order is extracted hereunder:

“ ...

8. I find from the records that the petitioner is a Senior Citizen aged about 66 years. After having succeeded in the Courts and getting an order that the petitioner is the original owner of the property in question, there cannot be any impediment for the respondents to consider the case of the petitioner for granting patta. In respect of lands in S.No.110/C-20, a lawyer notice has been sent to respondents on 15.09.2012. In respect of lands in S.No.110/C1, a representation has been given to District Collector, Kancheepuram on 05.10.2012. Therefore, I am inclined to direct the first respondent to direct the fourth respondent to consider the representations referred to, made by the petitioner on 15.09.2012 and on 05.10.2012 and pass orders on merits and in accordance with law, after affording opportunity to the petitioner and others, if any, within a period of three months from the date of receipt of a copy of this order. The first respondent shall arrange to forward the notice and the representation to the fourth respondent to enable him to do the needful, as directed.”

2. Learned counsel appearing for the petitioner admits that the District Collector himself passed an order on 31.07.2013, rejecting the representation of the petitioner. Learned counsel for the petitioner further admits that an opportunity was given to the petitioner and the petitioner was heard before the order was passed. It is stated by the learned Additional Government Pleader appearing for the respondents that the order dated 31.07.2013 was communicated to the

3. The common order passed by this Court in W.P. Nos.6215 and 6216 of 2013, is not an order passed on merits but an usual order so that the respondents could consider the representation of the petitioner and pass orders on merits and in accordance with law. However, the petitioner cannot allege contempt against the respondents for not passing an order in the manner as expected by the petitioner.

4. In such circumstances, the petitioner's conduct in filing contempt petition after getting a copy of the dated 31.07.2013 and without referring to the proceedings of the District Collector, is not acceptable and hence, the contempt petition is liable to be dismissed. The petitioner has made an attempt to threaten the official respondents for getting a favourable order. Recording compliance, this Contempt Petition is dismissed. No costs.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

bkn

//Certified to be true copy//

Dated at Madras this the day of 2021.

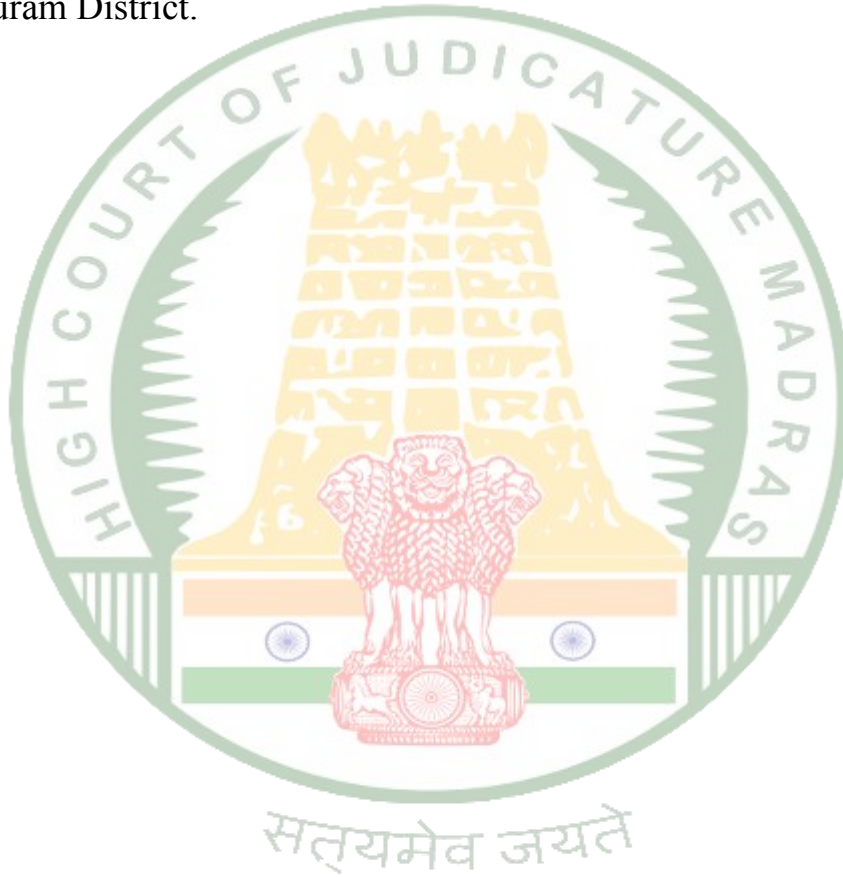
COURT OFFICER(O.S.)

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To

1.The District Collector,
Kacheepuram District – 603 110.

2.The Tahsildar,
Thiruporur Taluk,
Kancheepuram District.



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