



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.10.2021

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THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

CONT.P.(MD)No.1472 of 2021 IN

W.P.(MD)No.21937 of 2018

WEB COPY

S.Sam Thomas Dinesh Kumar,
119, Swedish Mission Hospital,
Taluk Office Road,
Thiruppathur - 630 211,
Sivagangai District.

... Petitioner / Petitioner

Vs.

Surya Prabha,
Sub-Registrar,
Sub-Registration Office,
Thirupathur,
Sivagangai District.

... Respondent / Respondent

Prayer: Contempt petition filed under Section 11 of Contempt of Courts Act 1971, to punish the respondent for willful disobedience of the order passed by this Court in W.P.(MD)No.21937 of 2018 dated 26.04.2019.

Prayer in WP(MD) . 21937/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the respondent to accept and register the documents presented by the Petitioner for registration as well as for re-registration for the property situated in GR Survey No.268/1, (New No.268/3), 280/3 and Survey No.287/4 in Thirupattur Town.

For Petitioner : Mr.T.Pon Ramkumar

For Respondent : Mr.R.Ragavendran,
Government Advocate.

* * *

O R D E R

Contending that the undertaking given before this Court has been breached, this contempt petition came to be filed.

2. The writ petitioner presented the petition mentioned documents for registration and for re-registration before the Sub Registrar, Thiruppathur. Since the documents were not accepted for registration, he filed W.P.(MD) No.21937 of 2018. When the matter was taken up for hearing, the learned Government Advocate made a submission that the petition mentioned documents can very well be



registered subject to the fulfillment of usual formalities. In terms of the statement made before this Court, the documents were presented. The respondent returned the documents vide memo bearing No.2 of 2021 dated 21.04.2021.

3. The learned counsel appearing for the petitioner states that this constitutes clear contempt of the order passed by this Court. There is considerable merit in the contention of the learned counsel appearing for the petitioner. However, I am prepared to recall the order dated 26.04.2019 so that W.P.(MD)No.21937 of 2018 can be heard on merits. The learned counsel there upon submitted that he can be given liberty to challenge the aforesaid memo dated 21.04.2021. He would state that the case on hand is covered by other orders passed by the other learned Judges of this Court.

4. In view of the said submission, this contempt petition is closed. The petitioner is given liberty to challenge the memo bearing No.2 of 2021 dated 21.04.2021 issued by the respondent herein.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PMU

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

Surya Prabha
The Sub-Registrar,
Sub-Registration Office,
Thirupathur, Sivagangai District.

+1 CC to M/s.T. PON RAMKUMAR, Advocate (SR-33137[F] dated 28/10/2021)

+1 CC to M/s.SPL.GP (SR-33025[F] dated 28/10/2021)

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W.P.(MD)No.21937 of 2018
27.10.2021

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