



Cont.P.No.2812 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.06.2022

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

Cont.P.No.2812 of 2015

S.Komalavalli

... Petitioner

Vs.

Mr.Rajasekar,
Registrar of Cooperative Societies (Housing),
Tamil Nadu Housing Board Building,
Nandanam, Anna Salai,
Chennai 600 035.
Now working as Managing Director,
TNSC Bank, Parry's Corner,
Chennai.

... Respondent

Contempt Petition filed under Section 11 of the Contempt of Courts Act, to punish the respondent for his wilful disobedience and non-compliance of the orders of this Court made in W.P.No.9425 of 2014, dated 07.04.2014 under the provisions of Contempt of Courts Act.

For Petitioner : Mr.S.Karthikeyan
for Mr.C.Prakasam

For Respondent : Mrs.Meera Arumugam
Additional Government Pleader



Cont.P.No.2812 of 2015

ORDER

WEB COPY This Contempt Petition has been filed to punish the respondent for violation of the order dated 07.04.2014 passed by this Court in W.P.No.9425 of 2014.

2. It is case of the petitioner that the aforesaid order dated 07.04.2014 was passed by this Court by directing the respondent herein to consider the representation of the petitioner dated 31.10.2013 and pass appropriate order, within a period of eight weeks from the date of receipt of a copy of the said order dated 07.04.2014. The operative portion of the order is reproduced below:-

3. Considering the limited scope of prayer, the respondents 1 and 2 are directed to consider the representation of the petitioner dated 31.10.2013 and pass orders on merits and in accordance with law after issuing notice to the petitioner and after conducting enquiry, within a period of eight weeks from the date of receipt of a copy of this order. The Writ Petition is disposed of accordingly. No costs.

3. It is submitted that the above order has been violated without passing any order in time.



Cont.P.No.2812 of 2015

WEB COPY

4. The learned Additional Government Pleader appearing for the respondent has produced a copy of an order dated 20.07.2017 which was passed pursuant to the aforesaid order dated 07.04.2014 of this Court. The said order dated 20.07.2017 merely records that the petitioner has only submitted xerox copy of the Audit Report from 1989-1990, 1992-1993 and 1993-1994 without mentioning any name whose share capital was deducted in the Audit Report Copy of 1989-1990.

5. The learned counsel for the petitioner submits that the above order dated 20.07.2017 has been passed belatedly in contempt of this Court.

6. I have considered the arguments advanced by the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the first respondent.

7. This Court, in the contempt of jurisdiction, cannot examine the correctness of the order. Since the order dated 20.07.2017 has been



Cont.P.No.2812 of 2015

passed pursuant to the order of this Court dated 07.04.2014, there is no case made out for contempt. It is open for the petitioner to workout the remedy against the said order dated 20.07.2017 passed by the Registrar of Cooperative Societies (Housing).

8. This Contempt Petition stands closed with the above observations. No cost.

28.06.2022

Index: Yes/ No
Speaking/Non-speaking Order
jen

To

Registrar of Cooperative Societies (Housing),
Tamil Nadu Housing Board Building,
Nandanam, Anna Salai,
Chennai 600 035.



WEB COPY



Cont.P.No.2812 of 2015

C.SARAVANAN, J.

jen

Cont.P.No.2812 of 2015

28.06.2022