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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.03.2022

CORAM

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

Contempt Petition No.330 of 2022

1. Ragumani Ammal
2. Rajambal

... Petitioners

Vs.

Kavitha
Revenue Divisional Officer,
Arni Division, Arni,
Thiruvannamalai District

... Respondent

Contempt Petition is filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondents for wilfully disobeying the order passed in W.P.No.18123 of 2021 dated 03.09.2021.

For Petitioner : Mr.N.Elumalai

For Respondent : Mr.V.Jeevagiridharan
Additional Government Pleader

O R D E R

The petitioner herein has filed the present Contempt Petition to punish the respondents for wilfully disobeying the order passed in W.P.No.18123 of 2021 dated 03.09.2021.



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2. The contempt petitioner has filed the Writ Petition, which is the subject matter of the present contempt petition, seeking for a issuance of Writ of Mandamus, directing the 3rd respondent herein to consider the representation of the petitioners dated 25.06.2021 and consequently, cancel the Patta No.2085 and restore the earlier patta showing the names of the petitioners alone with reference to property measuring 0.11.5 hectare in Survey No.16/1, situated in Potharai village, Polur Taluk, Thiruvannamalai District. After hearing the learned counsel for the petitioners as well as the learned Government Advocate, this Court, on 03.09.2021 directed the 3rd respondent therein to consider the petitioner's representation dated 25.06.2021 and dispose of the same on merits and in accordance with law after affording an opportunity to the respective parties, within a period of four months from the date of receipt of a copy of this order. With the said observation, the Writ Petition was disposed of.

3. The learned counsel for the petitioners would submit that this Court has passed an order to consider the representation dated 25.06.2021 within a period of four months and the petitioner has sent the representation to the respondent on 11.11.2021 enclosing web copy of the order and seeking their action to dispose of the same. Even after receipt of the



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representation and copy of the order, the respondent have not initiated any action. Thereafter, the petitioner caused a legal notice on 13.12.2021 with Registered Post Acknowledgment Due and even then, no action has been initiated by the respondent to comply with the order, hence the petitioner has filed this contempt petition for wilful disobedience committed by the respondent.

4. Mr.Jeevagiridharan, learned Additional Government Pleader submitted that notice has been issued by the Revenue Divisional Officer, Arani to the parties to appear before the office of the respondent on 22.03.2022 at 12.00 P.M and appropriate orders would be passed after conducting the enquiry.

5. Heard the learned counsel for the petitioners and the learned Additional Government Pleader appearing for the respondent and perused the documents placed on record.

6. On going through the order passed by this Court, it is found that this Court had dictated the order on 03.09.2021, carbon copy application was made on 07.09.2021, the order was corrected and delivered on 07.12.2021. However, the copy of the order was sent to the authorities



concerned after delivering the order copy, i.e., 07.12.2021 and therefore, only after 07.12.2021, the period of compliance is to be considered. Even though the time granted by this Court for complying with the order has not been elapsed, [as the same is in existence till 06.04.2022], the petitioner has rushed to this Court with the present Contempt Petition, which is highly premature in nature.

7. Considering the submission of the learned Additional Government Pleader appearing for the respondent that the parties were directed to appear before the office of the respondent on 22.03.2022 and appropriate orders would be passed after conducting the enquiry and taking note of the fact that the petitioner has approached this Court even before the time granted by this Court, which has not been elapsed, this Contempt Petition is closed.

SD/-
ASSISTANT REGISTRAR(COMM.CASES)

ssd

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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Gs/22/03/2022



To,

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The Revenue Divisional Officer,
Arni Division, Arni,
Thiruvannamalai District