



WEB COPY



Contempt Petition No.683 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.06.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Contempt Petition No.683 of 2022

Mr.Prakash

... Petitioner

Vs.

1. Mr.G.Koteeswaran

2. Dr.M.Aarthi I.A.S.
The District Collector,
Kanchipuram District,
Kanchipuram.

3. Thiru. R.Pannerselvam
The Special Tahsildar
Land Survey Revenue Scheme (Village Natham)
Krishnanagar, Mudichur Road,
West Tambaram,
Chennai-45.

... Respondents

Prayer :

Contempt petition filed under Section 11 of Contempt of Courts Act
praying to punish the Respondents 1 to 3 for disobeying the order passed by
this Court in W.P.No.14291 of 2013 dated 06.02.2020.



Contempt Petition No.683 of 2022

For Petitioner : Mr.G.Ponkunran
For Respondents : Mr.T.Ravindran
Additional Advocate General
Assisted by Mr.G.KrishnaRajan
Additional Government Pleader

ORDER

This contempt petition is filed alleging willful disobedience of the order dated 06.02.2020 made in W.P.No.14291 of 2013.

2.This Court, by an order dated 06.02.2020, directed the 1st respondent herein, who is the writ petitioner Petitioner to file appropriate petition before the 3rd Respondent herein and further directed the writ petitioner to spell out as to how he is entitled for grant of patta by substantiating his claim with documentary evidence and the 3rd respondent was directed to consider the same and pass orders after granting opportunity of hearing to the writ petitioner, the petitioner herein as also other interested parties within a particular time.

3. Alleging non compliance of the said order, the 3rd Respondent in the Writ Petition has filed the present contempt

2/4



petition.

WEB COPY

4. The learned Additional Advocate General appearing for the official respondents submitted that this Court had only permitted the writ petitioner to file a petition and no liberty was given to the petitioner herein to claim any relief and only opportunity of hearing was directed to be granted to the other parties. However, the petitioner herein has filed a representation alleging non-service of notice. If at all the petitioner herein is aggrieved, the course open to the petitioner is to ventilate his grievance by resorting to the appropriate remedy available to him in accordance with law.

5. As submitted by the learned Addl. Advocate General, the writ petitioner was alone permitted to file petition before the 3rd respondent herein. Though opportunity was directed to be given to the interested parties, including the petitioner herein, however, the grievance of the petitioner herein is that he was not served with the notice of hearing for which he has given a representation, which has not been considered. Therefore, the petitioner herein has filed the present petition. It is to be pointed out that if the representation of



Contempt Petition No.683 of 2022

the petitioner herein has not been considered, that would in no way
be

WEB COPY

M.DHANDAPANI,J.

arr

termed to be a contempt of the order of this Court. If no notice has been served on the petitioner herein, as alleged, the petitioner has to resort to the appropriate remedy available to him in law and cannot file the present contempt petition. This Court is of the considered view that the allegation of contempt is not made out. Accordingly, this contempt petition stands closed. However, liberty is given to the petitioner herein to work out his remedy in the manner known to law.

10.06.2022

arr

Speaking Order/ Non Speaking Order

Index: Yes/No

Internet: Yes/ No

Contempt Petition No.683 of 2022



WEB COPY



Contempt Petition No.683 of 2022