



WEB COPY



Cont.P.No.1002 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2022

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

AND

THE HONOURABLE MR.JUSTICE P.D.AUDIKEVALU

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P.Selvaraj

...Petitioner

Vs

T.Pandiyan,
The Tahsildar,
O/o.the Tahsildar,
Sankarapuram Taluk,
Kallakurichi District.

... Respondent

PRAYER : Contempt Petition filed under Section 11 of Contempt of Courts Act, 1971 praying to summon the Respondent herein and punish him under Section 11 of the Contempt of Courts Act for his willful violation of the Order of this Court in W.P.No.19735 of 2021 dated 17.09.2021.

For Petitioner : Mr.G.Balamanan

For Respondent : Mr.S.John J.Raja Singh, Additional
Government Pleader.

ORDER

(Order of the court was made by S.VAIDYANATHAN,J.)

When the matter is taken up for hearing, the Learned Additional



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Government Pleader appearing for the Respondent produced a proceedings in Na.Ka.No.A2/537/2022 dated 17.09.2022 stating that the Order of this Court has been complied with.

2.We have been periodically noticing that the Respondents in the Contempt are communicating proceedings to the Government Pleaders either with regard to the compliance of the Order or with regard to seeking time and in some cases, the Government Orders are also produced. In Contempt proceedings, the Respondents have to file an individual affidavit and in case of compliance, they must file an affidavit along with the proof of compliance. As stated supra, we see that the same is absent in the Contempt proceedings.

3.We make it very clear that Mr.S.John J.Raja Singh, Learned Additional Government Pleader is expected to inform all the officials concerned that the Respondents in the contempt proceedings are expected to file an Affidavit in case of compliance or if they want to seek time, it should be in the form of an Affidavit. The Chief Secretary is expected to issue circular to the Departments concerned so that the officials in the Contempt proceedings shall file an Affidavit and letters sent



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to the Government Pleaders shall not be produced before the Court, either for seeking adjournment or for reporting compliance of the orders of the Court.

4. Mr.S.John J.Raja Singh, Learned Additional Government Pleader would submit that he will instruct the Chief Secretary, who will inform the Departments concerned that the officials shall file an Affidavit. A copy of the circular shall be produced to the Registrar General of this Court.

5. Accordingly, this Contempt Petition is closed with the above directions.

[S.V.N.,J.] [P.D.A.,J.]
08.11.2022

ay

Index: Yes/No

Internet: Yes/No

*Note: Registry is directed to issue order
copy on 09.11.2022*



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**S.VAIDYANATHAN, J.
AND
P.D.AUDIKESAVALU, J.**

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