

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.01.2022

Coram

**THE HONOURABLE MR. JUSTICE P.N.PRAKASH
and
THE HONOURABLE MRS. JUSTICE R.HEMALATHA**

Contempt Petition No.1570 of 2021

M/s.Orix Leasing & Financial Services
India Limited,
A Company incorporated under the provisions
of Companies Act, 1956 and having its
Registered Office at Plot No.94, Marol
Co-operative Industrial Estate,
Andheri Kurla Road, Andheri (East),
Mumbai - 400 059.
represented by it s Power of Attorney
Mr.D.Gopinath
at No.1A, Agathiyar Nagar, Villivakkam,
Chennai - 600 049.

.. Petitioner

Vs.

Mr.A.R.Rahul Nath I.a.S.,
The Collector,
Collector Office,
Chengalpattu District.

.. Respondent

Contempt Petition filed u/s.11 of the Contempt of Courts Act, 1971,
praying to punish the respondent herein for disobeying the order dated
18.12.2019 of this Court passed in W.P.No.34938 of 2019.

For Petitioner : Mr.S.Ram
For Respondents : Mr.S.John J.Raja Singh
Additional Government Pleader

ORDER

[Order of the Court was made by **P.N.PRAKASH, J**]

By order dated 18.12.2019 in W.P.No.34938 of 2019, this Court had issued the following direction to the District Collector cum District Magistrate, Kancheepuram District:

'(7) It is also brought to the knowledge of this Court that on account of bifurcation of Kancheepuram District, the secured assets falls within the jurisdiction of Chengalpattu District and therefore, the respondent is directed to transfer the papers to the Collector of Chengalpattu District within a period of three weeks from the date of receipt of a copy of this order and the Collector of Chengalpattu District, upon receipt of the same, is directed to consider and dispose of the said application dated 24.05.2019 in accordance with law within a further period of four weeks thereafter and communicate the decision taken, to the petitioner.'

Alleging non-compliance with the above, the present contempt petition has been filed.

2. Heard Mr.S.Ram, learned counsel for the petitioner and Mr.S.John J Raja Singh, learned Additional Government Pleader, for the respondent.

3. The District Collector, Chengalpattu, has filed a compliance report dated 20.01.2022, wherein it is stated as follows:

'5. I, further submit that as per the proceedings of the District Collector, Chengalpattu specified above, the Tahsildar, Pallavaram, took possession of the secured asset concerned and handed it over to the Authorized Officer of the petitioner institution i.e. M/s.Orix Leasing and Financial Services India Ltd, on 28.12.2021. However, pursuant to the subsequent order by the Hon'ble Debts Recovery Tribunal-III, Chennai, in SA No.224/2021, dated:28.12.2021, the keys of the secured asset concerned was handed over to the borrower on 29.12.2021 by the Tahsildar, Pallavaram.

6. I most respectfully submit that the delay in implementing

the order of the Hon'ble High Court in the case at hand is absolutely unintentional and there has not been any wilful delay or disregard of the order of Hon'ble court by the district administration. I further submit that owing to the unprecedented administrative crisis brought about by the COVID-19 pandemic combined with the constraints caused by the district bifurcation, there has been an unintended delay in implementing the order of the Hon'ble Court. I, therefore pray that the delay caused may kindly be condoned and the contempt proceedings initiated may be dropped.'

Since the direction issued by this Court has been complied with, this contempt petition is closed.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

gm

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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GS/04/04/2022

To
The Collector,
Collector Office,
Chengalpattu District.