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Cont.P.No.2210 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

Contempt Petition No.2210 of 2022

Krishnaveni

...Petitioner

Vs.

Vishu Mahajan
The Deputy Commissioner
Revenue & Finance
Corporation of Chennai
Rippon Building
Chennai – 600 003.

..Respondent

Prayer: Contempt Petition filed under Section 11 of Contempt of Courts Act, 1971, seeking to punish the respondent for his wilful disobedience of this Court's order dated 03.04.2019 in W.A.No.1038 of 2019 on the file of this Court.

For Petitioner : Mr.C.Ravichandran

For Respondent : Mr.G.T.Subramanian,
Standing Counsel



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Cont.P.No.2210 of 2019

ORDER

(Order of the Court was made by R.SUBRAMANIAN, J.)

The grievance of the petitioner is that the order of the Division Bench dated 03.04.2019 has not been complied with by the respondent.

2. The operative portion of the order dated 03.04.2019 reads as follows:

*For the above reasons, the writ appeal is allowed, the order dated 11.1.2019 passed in the said writ petition is set aside, the proceedings of the second respondent dated 29.6.2016 is quashed and the matter is remanded to the second respondent for a fresh consideration. The second respondent shall afford an opportunity of personal hearing to the appellant or her authorized representative, peruse the documents that she may produce, call for additional documents, **if needed, obtain an indemnity bond from the appellant and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this judgment. No costs.***



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Cont.P.No.2210 of 2019

3. By an order dated 29.06.2016 the request of the petitioner was rejected. This rejection was the subject matter of challenge in WP.No.26581 of 2016. This Court by order dated 11.01.2019 dismissed the writ petition. The said order of dismissal was challenged in W.A.No.1038 of 2019, wherein, the above order dated 03.04.2019 was passed by this Court. Thereafter, on 09.10.2019, the respondent Corporation again rejected the request of the petitioner. Contending that this rejection amounted to contempt, the petitioner has come up with this contempt petition.

4. We have heard the learned counsel for the petitioner. We do not find any contempt/ willful disobedience of the order of this Court on the above narrated facts. It is seen that the direction issued by this Court was to consider the application of the petitioner on merits and pass orders. The Authority has considered the application and has rejected it. There is no positive direction to grant the request of the petitioner on obtaining indemnity bond. We therefore do not see any cause of action for contempt.

5. Hence, the contempt petition is dismissed. It will be open to



Cont.P.No.2210 of 2022

the petitioner to challenge the order of rejection dated 09.10.2019.

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(R.S.M.,J.) (K.B.,J.)

20.10.2022

dsa

Index:No

Speaking order

To:-

Vishu Mahajan
The Deputy Commissioner
Revenue & Finance
Corporation of Chennai
Rippon Building
Chennai – 600 003.



Cont.P.No.2210 of 2022

R.SUBRAMANIAN, J.
and
K.KUMARESH BABU, J.

dsa

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