

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.02.2022

CORAM

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

Sub Application No. 541 of 2021

and

Cont. P. (SR) No. 101274 of 2021

P.Nithya,
No.18, Thiru Nagar,
East Pandi Road,
Villupuram 605 602

.. Petitioner

Versus

1. Mr.Mohan I.A.S.,
District Collector
Villupuram District
Collector Office Road
Moovendar Nagar
Villupuram – 605 602

2. Mr.Anand Kumar
Revenue Tahsildar
Villupuram District
Collector Office Road
Moovendar Nagar
Villupuram – 605 602

.. Respondents

Sub Appln.No.541 of 2021 filed Under Section 151 of the Civil Procedure Code, to dispense with the production of the original impugned order in WP.No.23858 of 2021 dated 02.11.2021.

Cont. Petition filed Under Section 11 of the Contempt of Courts Act, 1971, to punish the respondents for wilful disobedience of the order of this court dated 02.11.2021 in WP.No.23858 of 2021.

For Petitioner : Mr.V.Raghavachari
For Respondents : Mr.P.Balathandayutham
Special Government Pleader

ORDER

The petitioner has come up with this contempt petition for the alleged non-compliance of the order dated 02.11.2021 passed in WP.No.23858 of 2021, wherein, this court recorded the submission made by the learned Government counsel appearing for the respondents that the petitioner's shop would be inspected by the Tahsildar on 02.11.2021 between 3.00pm and 5.00pm and verify whether the petitioner has rectified the violations, and if so, necessary orders would be passed by the respondent authorities, with regard to de-sealing the petitioner's shop, so as to enable them to effect sale of the crackers”.

2.On 10.02.2022, when the matter was taken up for consideration, this court in order to give quietus to the issue involved herein, directed the Tahsildar, Villupuram to de-seal the disputed premises on 12.02.2022 at 10.30am for the purpose of rectifying the violations as mentioned in the proceedings in A2/7660/2021 dated 04.02.2022 and the violations should be rectified by the petitioner within three days from the date of de-sealing.

3.Accordingly, today, the learned Special Government Pleader appearing for the respondents produced a copy of the communication of the second respondent dated 15.02.2022, wherein, it is stated as follows:

“I submit that based on the direction issued by the Hon'ble High Court, I have de-sealed the disputed premises on 12.02.2022 at 10.30am, in the presence of the Petitioner, Zonal Deputy Tahsildar, Sub Inspector, Valavanur Police Station, Valavanur Firka Revenue Inspector, Village Administrative Officer, for the purpose of rectifying the violations as mentioned in the proceedings in A2/7660/2021 dated 04.02.2022 and handed over the locks and keys to the petitioner. The copy of the statement obtained from the petitioner and acknowledgement are enclosed herewith for ready reference.

On receiving written representation from the petitioner in the reference 4th cited, I have inspected disputed premises in the presence of licensee Tmt.Nithya, Zonal Deputy Tahsildar, Revenue Inspector of Valavanur Firka, Village Administrative Officer of Salai Agaram Village.

During the inspection, it is ascertained that stored crackers and fireworks in the un-licenced area (ie.) in the 1st floor, 2nd floor, underground and exit area were removed. The discrepancies already found have been rectified by the petitioner within three days from the date of de-sealing. At presently, the cracker's shop is kept open for awaiting further orders from the Hon'ble High Court”

Thus, according to the learned counsel, the order of this court has been complied with.

4.The aforesaid submissions have been fairly conceded by the learned counsel for the petitioner.

5.Recording the above, this sub-application stands closed. Consequently,
this contempt petition is closed at SR stage itself.

SD/-
ASSISTANT REGISTRAR(COMM.CASES)

dhk/av

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)
from 25th day of September 2008 the Registry is issuing Certified copies of the
Orders/Judgments/Decrees in this format.
BD/30/05/2022

To

1.The District Collector
Villupuram District
Collector Office Road
Moovendar Nagar
Villupuram – 605 602

2. The Revenue Tahsildar
Villupuram District
Collector Office Road
Moovendar Nagar
Villupuram – 605 602