



WEB COPY



Cont.P.No.2385 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.12.2022

CORAM

THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**

Cont.P.No.2385 of 2022

M.Lakshminarayanan

...Petitioner

Vs.

1.Dr.N.Vilvasekaran,
The Registrar of Co-operatives (Housing),
No.48, Ritherdon Road,
Vepery, Chennai – 600 007.

2.Thiru. Rajashekar,
The CSR/Liquidator,
The Madras State NGO's Co-operative
Housing Society Ltd., Reg. No.430,
Office of the Deputy Registrar
of Co-operative Societies (Housing),
GMS Buildings, Fourth Floor,
Medavakkam Tank Road,
Kilpauk, Chennai – 600 010.

...Respondents

Prayer: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, to punish the respondents for his wilful and wanton acts of disobedience of the order of this Hon'ble Court dated 09.08.2021 passed in W.P.No.7544 of 2021.

For Petitioner : Mr.M.Rajaraman

For Respondents : Mr.B.Vijay,
Additional Government Pleader



Cont.P.No.2385 of 2022

ORDER

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The petitioner has filed this contempt petition alleging contempt as against order dated 09.08.2021.

2. The prayer of the petitioner is for a mandamus directing the 2nd respondent to execute and cause registration of the sale deed in favour of the petitioner in respect of plot No.50 in Officers Colony, Mehtha Nagar, Chennai 600 029.

3. While disposing the Writ petition, this court has recorded the submissions of the learned counsel for the petitioner to the effect that the petitioner is possession of all original documents and that the same will be produced before the 2nd respondent, whereupon the 2nd respondent can act upon the same and execute sale deed in favour of the petitioner.

4. Accordingly, the conclusion at paragraph 5 states as follows:-

“ 5. Taking into consideration the facts and circumstances of the case and also of the fact that the petitioner has been making the request for execution of the sale deed in his favour for long number of years and the petitioner is presently aged about 70 years, this Court is inclined to direct the petitioner to produce all the original documents before the respondents. The respondents shall consider the same and if the



Cont.P.No.2385 of 2022

petitioner has fulfilled all the requirements, shall execute the sale deed in favour of the petitioner. The petitioner shall make a representation in this regard to the second respondent along with a copy of this order.

”

5. When the matter had come up before this Court on 16.11.2022, the following order was passed :-

“ Mr.R.U.Dinesh Rajkumar, learned Additional Government Pleader accepts notice for the respondent and would assure the Court that the needful would be done in terms of effective compliance of order of this Court dated 09.08.2021, as against which contempt is alleged, within a period of four (4) weeks from today.

2. To facilitate the process and at the request of learned counsel for the petitioner, who points out that the petitioner is a senior citizen aged about 70 years old, the petitioner is permitted to appear before R2 on 29.11.2022 at 10.30 a.m. without awaiting any further notice in this regard.

3. List on 16.12.2022 under the caption 'for reporting compliance'. ”

6. The learned counsel for the petitioner and the respondents would confirm that the parties have pursuant to order dated 16.11.2022, appeared before R2, who, in compliance of the directions issued on 09.08.2021 as well



Cont.P.No.2385 of 2022

as on 16.11.2022, has executed the sale deed, made an online application for registration and also appeared before the Sub – Registrar, Kodambakkam.

7. However, it appears that the Sub – Registrar, Kodambakkam, who is not a party to the proceedings before me, has rejected the application for registration on the ground that the original documents have not been produced. A copy of his order to this effect, dated 14.12.2022 is produced before me.

8. In light of the aforesaid narration, there exists no more, a case for contempt, and the contempt petition is closed. Needless to state, the petitioner is at liberty to challenge order dated 14.12.2022, if he so desires, in a manner known to Law.

16.12.2022

mpl

Index : Yes/No

Speaking Order/Non speaking Order



WEB COPY



Cont.P.No.2385 of 2022

DR.ANITA SUMANTH,J.

mpl

To

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