



CONT.P.(MD)No.992 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.07.2022

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

CONT.P.(MD)No.992 of 2022

In

W.P.(MD).No.15878 of 2020

R.Rengasamy

...Petitioner/Petitioner

.VS.

Thenarasu,

The Joint Commissioner,

Tamil Nadu Hindu Religious and Charitable Endowment

Department,

Thanjavur.

...Contemnor/1st Respondent

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Courts Act, praying this Court to punish the respondent herein for committing grave contempt and gross disobedience of the order passed by this Court in W.P.(MD).No.15878 of 2020 dated 01.03.2022.

For Petitioner : Mr.R.Pranari,
For Mr.K.S.Duraipandian.

For Respondent :Mr.M.Lingadurai
Special Government Pleader



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ORDER

Alleging wilful disobedience of the order passed by this Court in W.P.(MD).No.1247 of 2019, this Contempt Petition has been filed.

2. The learned Counsel appearing for the petitioner submitted that this Court, by order dated 01.03.2022, in W.P.(MD).No.1247 of 2019, directed the first respondent therein, to dispose of the petition filed by the petitioner under Section 63(b) of the Hindu Religious and Charitable Endowments Act, 1959 in O.A.No.7 of 2013, within a period of four weeks from the date of receipt of a copy of this order and also the first respondent is directed to furnish a copy of the order dated 26.08.2008, which is said to have been passed appointing a fit person. But, the respondent did not comply with the said order. Hence this petition has been filed.

3. Hence, there have been no substantial progress of the case and the case is yet to be completed and the orders of this Court is not complied with.



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4. The learned counsel for the respondent submitted that in this case, on the point of jurisdiction, several cases were transferred to the file of the Joint Commissioner, Thanjavur. The jurisdiction of the Pudukottai District have been annexed to the office of the Joint Commissioner, Thanjavur. There have been 200 cases which have been forwarded from the Trichy Joint Commissioner Office to the Joint Commissioner Office, Thanjavur on 22.01.2021. Thereafter, due to second wave of pandemic, the concerned judicial Court have not functioned from 16.04.2021 to 04.07.2021. The case in O.A.No.7 of 2013 had been renumbered as O.A.No.76 of 2021 by transfer.

5. Thereafter, from 27.08.2021, the cases have been periodically posted, as regards this case, it was posted on 11.01.2022, thereafter on 20.06.2022 and 04.07.2022. The case could not be progressed due to administrative reason. Thereafter, on 11.07.2022 when the case was posted, the amendment petition was filed by one Loganathan due to death of his brother Renganathan and the case was adjourned for enquiry in Amendment Petition on 21.07.2021. Now the case was posted on 11.08.2022 to decide the amendment petition.



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6. Further, the present Joint Commissioner, Tanjore had sought two months time to complete the enquiry and dispose of O.A.No.76 of 2021 of the petitioner without any delay.

7. By accepting the reasons, this Court directs the Joint Commissioner, Tanjore to complete the proceedings in O.S.No.76 of 2021 within a period of three (3) months. This three months is only an outer limit and no further extension or any continuation will be accepted.

8. Recording the same, this Contempt Petition stands closed.

28.07.2022

Index:Yes/No
Internet:Yes/No
Nsr

To

The Joint Commissioner,
Tamil Nadu Hindu Religious and Charitable Endowment
Department,
Thanjavur.



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M.NIRMAL KUMAR, J.

Nsr

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