



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.01.2022

CORAM :

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**THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA
and
THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

CONT.P(MD)No.1971 of 2021

Sathavarayan Errammal and Thimmammal Temple
Rep by its President K.S.Duraiaraj

... Petitioner/Petitioner

vs.

1) Mr.K.V.Muralitharan, I.A.S.,
The District Collector,
Office of the District Collector,
Theni, Theni District.

2) Mr.R.Nagaraj
The Block Development Officer,
Village Panchayat,
Chinnamanur Block Development
Chinnamanur Post,
Theni District.

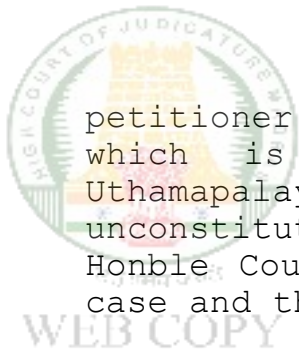
3) Mrs.T.Karthigadevi,
The Panchayat President,
Seepalakottai Panchayat
Seepalakottai Post,
Uththamapalayam Taluk,
Theni District.

... Respondents

Petition filed under Section 11 of the Contempt of Courts Act, to punish the respondents 1 to 3 herein for their wilful and wanton disobedience of the orders passed by this Hon'ble Court dated 27.08.2021 in W.P(MD)No.15413 of 2021 and W.M.P(MD)No.12322 of 2021 under the Contempt of Courts Act.

Prayer in WP(MD) . 15413/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a WRIT OF CERTIORARI calling for the records pertaining to the impugned order issued by the 3rd respondent dated 16.08.2021 directing the



petitioner to demolish the chinnandi, Errammal and Thummammal temple which is situated in S.No.283/1 in Seepalakottai village, Uthamapalayam Taluk, Theni District and quash the same as unconstitutional and illegal and pass such other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

Prayer in WMP(MD) . 12322/ 2021 :

To grant an order of INTERIM STAY of all further proceedings pursuant to the impugned order issued by the 3rd respondent dated 16.08.2021.

For Petitioner : Mr.Karuppasamy Pandian

For Respondents : Mr.P.Subbaraj
Special Government Pleader

ORDER

(Order of the Court was made by
PUSHPA SATHYANARAYANA, J.)

When the writ petition was filed by the petitioner challenging the order of the 3rd respondent dated 16.08.2021, directing the petitioner to demolish the Chinnandi, Errammal and Thummammal Temple situated in Survey No.283/1 in Seepalakottai Village, Uthamapalayam Taluk, this Court had granted an order of status-quo on 27.08.2021. Subsequent to the said order, the 3rd respondent had sent a notice to the Superintendent of Police, Uthamapalayam, on 08.12.2021 seeking police protection for removal of the said Temple mentioned supra. Aggrieved by the said action of the 3rd respondent, the petitioner has filed the contempt petition.

2. Pre-contempt notice was received by the 2nd respondent. In his proceedings Na.Ka.No.3340/2021/T2 dated 23.12.2021, he has cancelled the earlier request dated 08.12.2021 and further stated that any action will be taken subject to the result of the contempt petition. Since the 2nd respondent has already withdrawn the action, there is nothing survives in the contempt petition. However, when the Division Bench has directed to maintain status-quo till such time the writ petition is heard finally, the respondents are to obey the order of this Court. It is hereby warned that any action that may be taken by the respondents in disobedience of the order passed by this Court dated 27.08.2021 would amount to contempt.

3. Registry is directed to list the writ petition for final hearing in the third week of February 2022.



4. With the above direction, the Contempt Petition is closed.
Sd/-

Assistant Registrar (CS-III)

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/ /2022
Sub Assistant Registrar(CS)

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To

- 1) Mr.K.V.Muralitharan, I.A.S.,
The District Collector,
Office of the District Collector,
Theni, Theni District.
- 2) Mr.R.Nagaraj
The Block Development Officer,
Village Panchayat,
Chinnamanur Block Development
Chinnamanur Post,
Theni District.
- 3) Mrs.T.Karthigadevi,
The Panchayat President,
Seepalakottai Panchayat
Seepalakottai Post,
Uththamapalayam Taluk,
Theni District.

Copy to

The Section Officer,
Writ Section,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.SPL.GP (SR-2793[F] dated 28/01/2022)

CONT.P(MD)No.1971 of 2021

DATED : 27.01.2022

RK(07/02/2022) 3P 6C