



Cont.P.No.166 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **09.02.2023**

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

Cont.P.No.166 of 2023

1.A.V.R.Natesan
2.A.V.R.Vaidhyanathan

...Petitioners

Vs.

Mr.Seenivasan
The Sub-Registrar,
Padappai Sub-Registration Office,
Kancheepuram District.

... Respondent

Prayer: Contempt Petition filed under Section 11 of the Contempt Courts Act, 1971 praying to punish the respondent for the willful and flagrant violation of the order dated 28.12.2022 made in W.P.No.35077 of 2022 passed by this Court.

For Petitioners : Mr.V.C.Janarthanan

For Respondent : Mr.V.M.Ravindran
Special Government Pleader



Cont.P.No.166 of 2023

ORDER

WEB COPY

The Contempt Petition was filed by the petitioner to punish the respondent for wilful disobedience of order dated 28.12.2022 passed in W.P.No.35077 of 2022.

2. When matter is taken up for hearing, the learned counsel for the respondent submitted the order passed by the Sub-Registrar, Padappai dated 08.02.2023.

3. The learned counsel for the petitioner would submit that this Court had vide order dated 28.12.2022 passed the following order and the relevant portion of the order is extracted here under:

" 7. It is made clear that this Court does not wish to express any views on merits. In the circumstances, the 1st Respondent may register the Memorandum of Deposit of Title Deed dated 17.11.2022, presented for registration vide Online Application No.TP/13731423/2022 and return the documents forthwith, if there are no legal impediments as submitted by the petitioners".



Cont.P.No.166 of 2023

Thereafter, nothing moved with the respondent, compelling the petitioner to file the contempt. The contempt was listed for hearing on the following dates viz., 27.01.2023, 03.02.2023 and 07.02.2023. The learned counsel for the respondent submitted on all the three occasions that the direction would be complied, but failed. The respondent has now come forward and submitted the order passed by the Sub-Registrar dated 08.02.2023 expressing difficulty in registering the documents, in view of certain proceeding under the Land Ceiling Act. It is submitted that the document relied upon, which forms the basis of present order has not even been furnished to the petitioners for them to even respond, despite the fact that the petitioners have appeared before the respondent on two occasions. I do not intend to enter into the merits of the case in a contempt proceeding/jurisdiction. The contempt is closed.

4. Before parting, I must add that while this Court understands that the Respondent has now come forward expressing certain legal impediments, merits of which is not examined but disapproves the attitude of the Respondent who had taken time on more than one occasion in the



Cont.P.No.166 of 2023

contempt proceeding undertaking to comply with the orders of this Court. It would have been appropriate for the Respondent to have passed the order informing/ expressing the legal impediments to the petitioner pursuant to the directions of this Court in W.P.No.35077 of 2022 dated 28.12.2022 without waiting for the petitioner to file a contempt and undertaking in the contempt proceeding on two occasions to comply with the directions of this Court.

09.02.2023

Speaking order/Non-speaking order

Index: Yes/No

shk



WEB COPY



Cont.P.No.166 of 2023

MOHAMMED SHAFFIQ, J.

shk

To:

Mr.Seenivasan
The Sub-Registrar,
Padappai Sub-Registration Office,
Kancheepuram District.

Cont.P.No.166 of 2023

09.02.2023

5/5