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Contempt Petition No.1376 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2023

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

Contempt Petition No.1376 of 2022

B.Chenni Veerappa

... Petitioner

Vs.

1.A.S. Amudha

The District Educational Officer,
Denkanikottai, Krishnagiri District.

2.B.V. Govindappa,

Block Educational Officer,
Kelamangalam Union,
Krishnagiri District.

... Respondents

PRAYER: Contempt Petition is filed under Section 11 of the Contempt of Courts Act, to punish the respondents for willful disobedience of the orders of this Court in W.P.No.12125 of 2020 vide order dated 03.12.2021.

For Petitioner : Ms.Dakshayani
For Respondents : Mr.S.Silambanan,
Additional Advocate General
for Ms.P.Vijayadevi,
Government Advocate



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ORDER

This Contempt Petition has been filed complaining willful disobedience of the order dated 03.12.2021 in W.P.No.12125 of 2020.

2. Counter affidavits are not filed on behalf of the respondents.

3. On consideration of the facts and circumstances of the case, this Court came to the *prima facie* opinion that the respondents did not comply the order of this Court willfully by order dated 20.04.2023 and issued statutory notice directing the respondents to appear in-person before this Court on 01.06.2023. In spite of service of statutory notice, as the respondents failed to appear before this Court, this Court by order dated 01.06.2023 directed the registry to issue Non Bailable Warrant against the respondents and directed the Superintendent of Police, Krishnagiri District to execute the warrant and secure the presence of the respondents and produce them before this Court on 15.06.2023. It appears that warrant is not executed. The respondents are present before the Court today.



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4. Mr.S.Silambanan, learned Senior Counsel appearing on behalf of the respondents submits that on behalf of the respondents, Sub Application is filed seeking to recall the Non Bailable Warrant issued against the respondents.

5. Having heard the submissions of the learned Senior Counsel and upon perusal of the averments made in the accompanying affidavit filed along with the Sub Application, this Court satisfied to recall the warrant issued against the respondents. Accordingly, Sub Application SR.Nos.75934 & 75935 of 2023 is allowed and Non Bailable Warrant is recalled.

6. It is brought to the notice of the Court by the learned Senior Counsel that the order of the Court dated 03.12.2021 in W.P.No.12125 of 2020 is complied with, in true spirit.

7. Learned counsel for the petitioner also accepted the same by endorsing the statement of the learned Senior Counsel appearing for the respondents.



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BATTU DEVANAND,J.

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8. Under these circumstances, in my considered view, no further adjudication is required in this contempt petition and it is liable to be closed.

9. Accordingly, this Contempt Petition is closed.

16.06.2023

Index :Yes/No

Neutral Citation: Yes/No

AT

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