



WEB COPY



Contempt Petition No.1670 of 2023

0IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.08.2023

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

Contempt Petition No.1670 of 2023

A.M.Ramamoorthy

.... Petitioner

VS

1.Mr.Durairaj,
Deputy Registrar of Co-operative Societies,
Palladam Road, Tirupur.

2.Mr.Suresh Kumar,
Sale Officer,
Office of the Deputy Registrar of Co-operative Societies,
Tirupur.

.... Respondents

Contempt Petition filed under Section 11 of the Contempt of Courts Act to punish the respondents for willfully disobeying the orders passed in W.P.No.19807 of 2023, dated 05.07.2023.

For Petitioner :Mr.L.P.Shanmugasundaram

For Respondent : Mrs.S.Anitha
Special Government Pleader

ORDER



WEB COPY

The petitioner herein has come up with this Contempt petition on the ground that the order passed by this Court on 05.07.2023 in W.P.No.19807 of 2023 has been willfully disobeyed by the respondents.

2. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondent.

3. It is the case of the petitioner that subsequent to the passing of on order by this Court on 05.07.2023, the respondents herein proceeded with auction scheduled on 07.07.2023 and on that day the first respondent and eleven other persons came to the petitioners property and issued Form Nos.6 and 7 notice and therefore, they have committed contempt of this Court by willfully disobeying the order dated 05.07.2023.

4. The first respondent herein filed a counter affidavit stating that the main writ petition was filed challenging the Form-9 notice dated 15.05.2023 in respect of the property described therein. This Court granted interim stay of further proceedings in pursuance of Form-9 notice impugned in the writ petition.



WEB COPY

5. It is stated by the first respondent that Form Nos.6 and 7 notices were issued against another property of the petitioner on 04.07.2023 and the said notices are not in respect of property covered by the Form-9 notice impugned in writ petition.

6. It is also stated by the respondents that the auction sale in respect of the property covered by Form-9 notice impugned in writ petition was stopped by the respondents and therefore there is no disobedience to the order passed by this Court on 05.07.2023.

7. A perusal of the Form-9 notice impugned in the main writ petition and the present Form-6 notice issued by the respondents would suggest the property covered under the Form-6 notice issued by the respondents on 04.07.2023 is completely different from the one covered under the notice impugned in the main writ petition. Therefore, the petitioner has not made out any case for punishing the respondents for willful disobedience of the stay order passed by this Court.



WEB COPY



Contempt Petition No.1670 of 2023

S.SOUNTHAR, J.

ub

8. Accordingly, this Contempt Petition is closed.

09.08.2023

Index : Yes/No

Speaking order: Yes/No

Neutral citation: Yes/No

ub

Contempt Petition No.1670 of 2023