



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Contempt Petition No.2890 of 2022
in WP.No.35145 of 2019

1.E.Stanley Justin Paulraj

2.S.Palanisamy

3.P.Chandra

4.R.Arockiaraj

5.P.Kumar

.. Petitioners/Petitioners

vs.

1.Thiru.S.Subramanian

Additional Registrar of Co-operative
Societies

NVN Maaligai, 170, E.V.R.Periyar Salai
Kilpauk, Chennai 600 010.

2.Thiru.G.K.Madhavan

Additional Registrar/Managing Director

Tamil Nadu Co-operative Societies

NVN Maaligai, 170, E.V.R.Periyar Salai

Kilpauk, Chennai 600 010.

.. Respondents /Respondents



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Contempt Petition filed under Section 11 of the Contempt of Courts Act, to punish the respondents herein for willful disobedience of the order of this Hon'ble Court made in WP.No.35145 of 2019 dated 18.12.2019 and corrected order dated 26.2.2020.

For Petitioners : Mr.L.Chandrakumar

For Respondents : Mr.J.Ravindran
Additional Advocate General
Asst.by
Mrs.Sneka
for R2

Mr.C.Selvaraj
Additional Government Pleader
for R1

ORDER

Heard Mr.L.Chandrakumar, learned counsel for the petitioners, Mr.J.Ravindran, learned Additional Advocate General for R2 and Mr.C.Selvaraj, learned Additional Government Pleader for R1.

2.When the contempt petition came up for hearing on 13.04.2023, this Court passed the following order:

Pursuant to the earlier order passed by this Court, a compliance affidavit has been filed by the second



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respondent. Nothing turns out of the compliance affidavit and the second respondent has merely reiterated that the order has been passed in accordance with law. This Court is not satisfied with the explanation given by the second respondent. Three specific aspects that have been pointed out by the first respondent in paragraph No.4 of the order dated 07.07.2022 are nowhere found in the order passed by the second respondent on 14.03.2023. When this was pointed out to learned counsel for the respondents, he sought for some time to take instructions. 2. It is made clear that if the second respondent wants to justify his stand by pointing out to the order passed on 14.03.2023, this Court has no other alternative except to pass final orders in the contempt petition. Post this case under the same caption on 27.04.2023.

3. Thereafter, the matter was posted on 27.04.2023 and on that day, an affidavit was filed along with the copy of the proceedings dated 26.04.2023. The copy was also served on the learned counsel for the petitioners.



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4.This Court has gone through the order passed in proceedings dated 26.04.2023. The discrepancy that was pointed out in the earlier order has been taken note of and a fresh order has been passed by the respondents.

5.The learned counsel for the petitioners submitted that the respondents have once again placed the papers before the Registrar and this tactics has been adopted for a long-time. According to the learned counsel for the petitioners, the issue is placed back and forth before the Registrar and the respondents.

6.In the considered view of this Court, while dealing with the contempt petition, this Court has to look at the scope of the contempt petition. This Court found that the earlier order passed by the respondent was not in line with the direction issued in the writ Petition. Therefore, the said order was withdrawn and a fresh order has been passed through proceedings dated 26.04.2023. This order has sufficiently satisfied the direction issued by this Court. If the petitioners are aggrieved by this order, the same cannot be resolved in this contempt petition and they have to necessarily workout their remedy in accordance with law.



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6. In the light of the above discussion, this contempt petition is closed and it is left open to the petitioners to workout their remedy in accordance with law.

09.06.2023

Internet : Yes/No
KP

To

1. Thiru. S. Subramanian
Additional Registrar of Co-operative
Societies
NVN Maaligai, 170, E.V.R. Periyar Salai
Kilpauk, Chennai 600 010.

2. Thiru. G. K. Madhavan
Additional Registrar/Managing Director
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N. ANAND VENKATESH, J.

KP

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