



Cont. P.(MD) No.367 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.08.2023

CORAM:

**THE HONOURABLE MR.JUSTICE S.S.SUNDAR
and
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

**Cont. P.(MD) No.367 of 2023
in
W.P.(MD) No.22541 of 2022**

V.Chandran

... Petitioner

-vs-

Mr.Anees Sekar,
The District Collector,
Madurai,
Madurai District.

... Respondent

PRAYER : Petition filed under Section 11 of Contempt of Courts Act, praying to punish the respondent due to his disobedience of order dated 26.09.2022 in W.P.(MD) No.22541/2022.

For Petitioner : Mr.J.Gunaseelan Muthiah

For Respondent : Mr.Veera Kathiravan
Additional Advocate General,
Assisted by Mr.P.Thilak Kumar
Government Pleader

O R D E R

[Order of the Court was made by S.S.SUNDAR, J.]

The Contempt Petition is filed alleging wilful disobedience of the order of this Court dated 26.09.2022, passed in W.P.(MD) No.22541 of 2022.



2. The petitioner in this Contempt Petition has earlier filed the Writ Petition in W.P.(MD) No.22541 of 2022, for issuance of a Writ of Mandamus, to direct the 1st respondent to instruct the 2nd respondent to audit all the accounts, particularly relating to 1 to 103 resolutions of Saruguvalayapatti Village Panchayat, Melur Panchayat Union, and to take action against connected officials who are involved in this Manipulation based on the petitioner's representation dated 23.05.2022.

3. The said Writ Petition was disposed of in the following lines:-

“4. Learned counsel for the petitioner would further submit that though the petitioner has sought for a larger relief, he would be satisfied if a direction is issued to the first respondent ? District Collector to consider the representation of the petitioner dated 23.05.2022, in accordance with law.

5. Considering the limited scope of the prayer now sought for by the petitioner, without expressing any opinion on the merits of the claim made by the petitioner either in the representation or in the affidavit filed in support of the Writ Petition, this Writ Petition is disposed of with a direction to the first respondent to consider the representation of the petitioner dated 23.05.2022, seeking to conduct audit of accounts, and pass appropriate orders on merits and in accordance with law after affording an opportunity of hearing to the petitioner and all the parties concerned. Such an exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order. No costs.”



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4. From the said order, this Court is able to see that the learned counsel for the petitioner has submitted before this Court that the petitioner would be satisfied if a direction is issued to the first respondent to consider the representation of the petitioner dated 26.09.2022. The petitioner has now come forward with the Contempt Petition on the allegations that the operative portion of the order dated 26.09.2022 has not been complied with.

5. The District Collector, Madurai, has filed a reply affidavit dated 20.04.2023, referring to the action taken pursuant to the direction of this Court. It is to be noted that the District Collector by proceedings dated 03.03.2023 has also informed the petitioner about the action taken pursuant to the directions of this Court.

6. The Writ Petition was disposed of with a general direction. It is to be noted that the audit of account as directed by this Court has already been complied with. It is brought to the notice of this Court that the respondent has taken several actions. This Court cannot monitor as to how further proceedings have been initiated against the erring officials. The scope of the Contempt Petition is limited. The question to be considered is whether any wilful disobedience of the order of this Court or failure to honour the undertaking given before this Court. Having regard to the sequence of



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events, this Court is fully satisfied that there is no wilful disobedience of the order of this Court. Hence, this Contempt Petition is closed.

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[S.S.S.R, J.] [D.B.C., J.]
17.08.2023

Index : Yes / No
Neutral Citation : Yes / No
sj

To

Mr.Anees Sekar,
The District Collector,
Madurai,
Madurai District.



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S.S.SUNDAR, J.
and
D.BHARATHA CHAKRAVARTHY, J.

sj

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