



Cont.P.(MD) No.706 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.06.2023

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

Cont.P.(MD) No.706 of 2023
and
Sub Application (MD) No.138 of 2023

R.Meenakshi Ammal

.. Petitioner/Petitioner

Vs.

S.Aneesh Sekhar, I.A.S.,
The District Collector,
District Collectorate,
Madurai.

.. Contemnor/4th Respondent

Prayer: Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the contemnor/4th respondent for his wilful, deliberate and disobedience of the order passed by this Court in W.P.(MD) No.10653 of 2021, 22.07.2021.

For Petitioner : Mr.Niranjan S. Kumar

For Respondent : Mr.J.John Rajadurai
Government Advocate



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ORDER

An affidavit alleged to be signed by the contemnor on 18.05.2023 has been filed along with a typed set of papers wherein an order dated 20.04.2023 passed by the respondent shows compliance of the orders of this Court. Though the affidavit would begin with an unconditional apology and a statement that the deponent holds this Court in highest regard, however, in paragraph 4(ix), the following statement has been made:

“When the contempt petition was listed before this Hon'ble Court on 25.03.2023, the fact of compliance was submitted before this Hon'ble Court. But the Hon'ble Court took exception and ordered to issue statutory notice for appearance to the District Collector, Madurai before this Hon'ble Court on 05.06.2023 and the Hon'ble Court was pleased to order further, as “If the order is complied with, the contemnor need not appear before this Court”.”

2. The statement borders on being contumacious and is factually incorrect. The contempt petition itself was listed for admission on



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20.04.2023. Even as per the typed set of papers which has now been filed by the contemnor along with the affidavit, the order has been passed only on 20.04.2023, when the matter was listed for admission. Therefore, by no stretch of imagination could compliance of the order of this Court be reported on 25.03.2023. The deponent ought to have verified his records before he affixing his signature on the affidavit. Although this Court takes exception to the erroneous statement contained in para 4(ix), considering the fact that the orders have been complied with, no further orders are required in this contempt petition and the same is closed. Consequently, the sub application is also closed.

05.06.2023

NCC : Yes/No

Index : Yes/No

Internet : Yes

abr

To

The District Collector,
District Collectorate,
Madurai.



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P.T.ASHA, J.

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