



Cont.P.(MD) No.928 of 2021

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

AND

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

CONT.P.(MD)No.928 of 2021

W.A.D.Thompson

Rep. by his Power of Attorney Agent

S.A.F.Ahamed Gnaniyar

... Petitioner / Appellant

-Vs-

1.Mr.Hitesh Kumar S.Makwana, I.A.S.,
The Secretary to Government,
Revenue (Urban and Ceiling) Department,
Chepauk, Chennai.

2.Mr.P.Sivasankaran, I.A.S.,
The Principal Secretary /Commissioner of Urban
and Ceiling and Urban Land Tax,
Chepauk, Chennai.

3.Ms.G.Usha,
The Assistant Commissioner,
(Urban Land Ceiling), Tirunelveli,
Presently Office shifted to
O/o.The Assistant Commissioner, Urban Land Tax, Madurai.

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4.Mr.Shanmuga Subramanian,
The Tahsildar,
Palayamkottai Taluk, Tirunelveli-1.

... Contemnors / Respondents

PRAYER : Contempt Petition filed under Section 11 of the Contempt of Courts Act, to punish the respondents / contemnors for willful disobedience of the order passed by this Court in W.A.(MD)No.1211 of 2019, dated 13.11.2019.

For Petitioner : Mr.H.Arumugam

For Respondents : Mr.N.Ramesh Arumugam,
Government Advocate

ORDER

[Order of the Court was made by R.SURESHKUMAR, J.]

This Contempt Petition is filed for the alleged disobedience of the order passed by this Court in W.A.(MD)No.1211 of 2019, dated 13.11.2019.

2.Today, when this Contempt Petition is taken up for hearing, the learned Government Advocate for the respondents has stated that as against the said order, a Special Leave Petition has been filed before the Hon'ble Supreme Court of India in S.L.P. (Civil) Diary No.18886 of 2021, where on 08.11.2021,

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the Hon'ble Supreme Court has passed the following order:-

“The learned counsel for the petitioners seeks permission to withdraw the Special Leave Petition with a liberty to file a review petition and to approach this Court again in the event the petitioner (s) does not succeed in the review before the High Court.

Accordingly, the Special Leave Petition is dismissed as withdrawn with the aforesaid liberty.

Pending application(s), if any, shall stand disposed of.”

3.Pursuant to the said order passed by the Hon'ble Supreme Court, a review application has been filed before this Court and after the delay is condoned, it is numbered as REV.APLC(MD)No.30 of 2023, which is yet to be taken up for hearing.

4.When that being the position, where as per the liberty the respondents have filed a review and the same is yet to be decided, assuming that if ultimately the review is decided in favour of the petitioner and against the respondents, even in that case, the respondents will have further liberty to approach the Hon'ble Supreme Court to file S.L.P., against the order to be passed



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in the review. When that chain of actions are forthcoming, where the liberty is given, we feel that at present, this Contempt Petition cannot be persuaded further. Accordingly, we are inclined to close this Contempt Petition, accordingly, it is closed with liberty to the petitioner to revive the same in case in all the attempts, the respondents fail as indicated above.

[R.S.K., J.] & [K.K.R.K., J.]
19.06.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

MYR

To

- 1.Mr.Hitesh Kumar S.Makwana, I.A.S.,
The Secretary to Government,
Revenue (Urban and Ceiling) Department,
Chepauk, Chennai.
- 2.Mr.P.Sivasankaran, I.A.S.,
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