



WEB COPY



Contempt Petition (MD) No. 1163 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

Contempt Petition (MD) No. 1163 of 2022

R.Sethupathi

... Petitioner

-VS-

1. J. Kumaragurubaran I.A.S.,
The Commissioner, Hindu Religious and
Charitable Endowments Department,
No.119 Uthamar Gandhi Salai,
Nungambakkam, Chennai.

2. N. Palani Kumar, B.Sc., B.L.,
The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
No.40 Muthusamy Nagar, Tirupathur Road,
Sivagangai District.

3. Arockiya Selvaraj,
The Inspector of Police, S.S. Kottai
Police Station, Sivagangai District.

... Respondents

Prayer:- Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, praying to punish the Contemnors/Respondents for willful disobedience of the order of this Court dated 15.06.2022 in W.P. (MD) No. 11770 of 2022.



Contempt Petition (MD) No. 1163 of 2022

For Petitioner : Mr. M.Sathiamoorthy
For Respondents : Mr. P.Subbaraj
Special Government Pleader

ORDER

Heard Mr. M.Sathiyamoorthy, Learned Counsel for the Petitioner and Mr. P.Subbaraj, Learned Special Government Pleader appearing for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. It has been held by this Court in the order dated 15.06.2022 in W.P. (MD) No. 11770 of 2022 as follows:-

"4. The learned Standing counsel appearing for the fifth respondent submits that he is aware of the Peace Committee Meeting. Further, as per the custom of the Temple, there is no such privilege given to any person.

5. It is seen from the records that the Inspector of Police, who is the ninth respondent herein, has attended the Peace Committee Meeting, who is aware about the Temple festival. In that meeting, it was agreed between the parties that the temple festival would be conducted in a peaceful manner treating all of them as equal."



Contempt Petition (MD) No. 1163 of 2022

The grievance ventilated in the affidavit filed in support of the Contempt Petition is that *Sirappu Mariyathai* was accorded to one Vellaisamy Periyambalam, is in violation of the aforesaid Court order. It has not been shown as to how the Respondents in the Contempt Petition could be personally held responsible for alleged violation of the order passed in the Writ Petition. As such, it is not possible to entertain the Contempt Petition.

In fine, the Contempt Petition is closed.

07.02.2023

PKN

Index: Yes/No

Note: Issue order copy by 28.02.2023.

To

1. J. Kumaragurubaran I.A.S.,
The Commissioner, Hindu Religious and
Charitable Endowments Department,
No.119 Uthamar Gandhi Salai,
Nungambakkam, Chennai.



WEB COPY



Contempt Petition (MD) No. 1163 of 2022

P.D. AUDIKESAVALU, J.

PKN

2. N. Palani Kumar, B.Sc., B.L.,
The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
No.40 Muthusamy Nagar, Tirupathur Road, Sivagangai District.

3. Arockiya Selvaraj,
The Inspector of Police,
S.S. Kottai
Police Station, Sivagangai District.

Contempt Petition (MD) No. 1163 of 2022

07.02.2023