



Cont. P(MD)No.1668 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 27.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cont. P(MD)No.1668 of 2023

in

W.P.(MD)No.11868 of 2023

and

Sub Application (MD)Nos.262 & 263 of 2023

S.Anish Aseer

... Petitioner

Vs.

1.Rt.Rev.ARGST.Barnabas

Bishop/The President,
Executive Committee of Diocesan Council,
CSI Tirunelveli Diocese,
Tirunelveli-627002.

2.Karthikeyakani

Executive Magistrate,
Revenue Divisional Officer,
Tirunelveli.

... Respondents

(R2 is suo motu impleaded
vide order dated 30.08.2023)

Prayer: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, to punish the contemnor/5th respondent for having committed wilful disobedience of the common orders passed by this Court in W.M.P.(MD)No.11868 of 2023, dated 12.05.2023 and punish him according to law.



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For Petitioner : Mr.Sricharan Rengarajan
Senior Counsel
for Mr.Mohammed Ashick

For Respondent : Mr.Veera Kathiravan
Additional Advocate General
assisted by Mr.M.Sidharthan
Additional Government Pleader for R2

: Mr.H.Lakshmi Shankar for R1

ORDER

Heard the learned senior counsel appearing for the petitioner, learned counsel appearing for R1 and the learned Additional Advocate General assisted by learned Additional Government Pleader appearing for R2.

2. Passing of the order dated 03.08.2023 by the Executive Magistrate, Revenue Divisional Officer, Tirunelveli furnished cause of action for filing this contempt petition and issuance of statutory notice.

3. Both the respondents are present before this Court. The second respondent has offered her unconditional apology. She further states that she will issue the proceedings immediately recalling her order dated 03.08.2023. This submission is made by the second respondent in person in the presence of the first respondent herein.



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4. Since in the first hearing itself, an undertaking has been given for recall of the order dated 03.08.2023, I do not think I should keep the the contempt petition pending. The contempt petition is closed. The petitioner has filed Sub Application (MD)Nos.262 & 263 of 2023. Since the main contempt petition itself is closed today, the sub applications are also closed. Liberty is given to the petitioner herein to file any fresh petition in accordance with law, if occasion arises.

27.09.2023

Index: Yes/No
Internet: Yes/No
rmi

To

Executive Magistrate,
Revenue Divisional Officer,
Tirunelveli.



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G.R.SWAMINATHAN, J.

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