



Cont.P.(MD)No.1866 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.06.2023

CORAM

THE HONOURABLE **MR.JUSTICE C.SARAVANAN**

Cont.P.(MD) No.1866 of 2022

Abdulla
S/o.Mohammed Hussain,
President,
Integrated Monapparai Taluk,
Manavari and Iravai Pasanatharkal
Farmer Association,
Register No.198 of 2013,
1222 East Street, Puthanatham Post,
Manapparai Taluk,
Trichy District.

... Petitioner

Vs.

1.Mr.N.Alagarasu
The Deputy Transport Commissioner,
Pirattiyur,
Ramji Nagar, Trichy - 9.

2.Mr.Ganesan,
The Regional Transfer Officer,
Pirattiyur,
Ramji Nagar, Trichy - 9.

3.Mrs.Sandhiya,
The Block Transport Inspector,
Makalipatti,
Muthapudaiyanpatti Post,
Manapparai Taluk,
Trichy District.

... Respondents



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Contempt Petition filed under Section 11 of the Contempt of Court Act, 1971, to punish the respondents herein for the deliberate and willful disobedience of the order dated 05.04.2022 passed by this Court in W.P. (MD) No. 6211 of 2022.

For Petitioner : Mr.A.Joel Paul Antony

For Respondents : Mr.S.Kameswaran,
Government Advocate

ORDER

This Contempt Petition has been filed to punish the respondents herein for the deliberate and willful disobedience of the order dated 05.04.2022 passed by this Court in W.P.(MD) No. 6211 of 2022.

2. This Court by an order dated 05.04.2022 disposed of W.P.(MD) No.6211 of 2022 with the following directions:-

4.Considering the above, I am inclined to dispose of this writ petition at the time of admission by directing the respondents 2 to 5 to implement the order of the 1st respondent/Commissioner of Transport, Chennai, dated 14.09.2021 within a period of 6 weeks from the date of receipt of a copy of this order.



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3. It appears that the respondents have not complied with the above order. The petitioner had issued Legal Notice dated 07.09.2022 and further representation dated 01.10.2022. Since Legal Notice and the representation did not evoke any response, the petitioner filed this Contempt Petition.

4. Today, when this case is taken up for hearing, the learned Government Advocate for the respondents has produced a copy of the Proceedings of the Regional Transport Officer dated 26.04.2023 bearing R.No.34804/A2/2021. This is in compliance of the order of this Court dated 05.04.2022 in W.P.(MD) No.6211 of 2022. The operative portion of the said Proceedings dated 26.04.2023 addressed to the petitioner reads as under:-

As per the detailed list above, 12 check reports were issued and action taken against the permit holders under section 86(1) of Motor Vehicles Act 1988 read with Rule 206 of Tamil Nadu Motor Vehicle Rules 1989.

Therefore, the petitioner is hereby informed that, action has been taken on the complaint sent by the petitioner, thereby the instructions issued by the Transport Commissioner vide letter No.27392/E2/2022



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dated 14-09-2021, are implemented. As such, directions issued by Hon'ble High Court, Madurai Bench in WP(MD)No.6211 of 2022, dated 05-04-2022 is complied with.

5. A reading of the above extracted paragraphs of the Proceedings dated 26.04.2023 bearing R.No.34804/A2/2021 indicates that there is adequate compliance with this Court's order although belatedly. Considering the above, there is no scope for inferring in the present Contempt Petition.

6. However, the petitioner is at liberty to work out the remedy in the manner known to law.

7. Accordingly, this Contempt Petition stands closed.

20.06.2023

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

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- 1.The Deputy Transport Commissioner,
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Ramji Nagar, Trichy - 9.
- 2.The Regional Transfer Officer,
Pirattiyur,
Ramji Nagar, Trichy - 9.
- 3.The Block Transport Inspector,
Makalipatti,
Muthapudaiyanpatti Post,
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C.SARAVANAN, J.

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