



Cont.P.(MD)No.2283 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.12.2023

CORAM :

THE HONOURABLE MR.JUSTICE M.SUNDAR
and
THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

Cont.P.(MD)No.2283 of 2023

Ganesan

... Petitioner

vs.

Tmt.Amutha, I.A.S.,
Principal Secretary to Government,
Home (Prison) Department,
State of Tamil Nadu,
Secretariat, St. George Fort,
Chennai – 600 009.

... Respondent

Contempt Petition filed under Section 11 of Contempt of Courts Act to initiate contempt proceedings against the contemnor / respondent No.1 for the willful disobedience to the order of the Hon'ble Court in W.P.(MD)No.16240 of 2023, dated 06.07.2023 and punish the contemnor / Respondent No.1 under the Contempt of Court Act.

For Petitioner : Mr.R.Alagumani

For Respondent : Mr.A.Thiruvadi Kumar,
Additional Public Prosecutor.



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ORDER

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[Order of the Court was made by **M.SUNDAR, J.**]

When the matter was taken up, the question as to the date on which the order dated 06.07.2023 made in W.P.(MD)No.16240 of 2023 was received by the sole respondent in the Contempt Petition became relevant owing to paragraph 4 of the order qua which the contempt petition is predicated.

2. Faced with the above situation, learned counsel submitted that he would apply for a certified copy, ascertain the date of receipt of aforementioned order dated 06.07.2023 and sought leave of this Court to withdraw the captioned Contempt Petition but made a plea to preserve the rights of the petitioner to come up with a similar / same prayer after doing the needful.

3. Learned counsel has made an endorsement in the case file and a scanned reproduction of the same is as follows:



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The Counsel both parties
most respectfully pray
permission before this
Honble Court for withdrawal
this Contempt petition with
liberty to approach this
Honble Court at any time
all particulars in the
attached

DISTRICT
BEFORE
MADRAS
AT MADRAS

Contempt Petition

W.P. (MILITARY)
(On the file)

C. N. A. (Lawyer)
14/6/23
Counsel for the petitioner,
1/12/2023

TYPE
IMP

4. In the light of the narrative thus far, Contempt Petition is disposed of as closed albeit preserving the rights and contentions of the petitioner to come up with a similar /same prayer after doing the needful qua date of receipt of the order dated 06.07.2023 by the respondent.



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5. Contempt Petition is closed albeit with the aforementioned observations and preservation of rights in the aforementioned manner. Consequently, captioned sub applications also closed with the same observations and same preservation of rights.

(M.S., J.) (R.S.V., J.)
01.12.2023

Index : Yes/No
Neutral Citation : Yes/No
vsm



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To

Principal Secretary to Government,
Home (Prison) Department,
State of Tamil Nadu,
Secretariat, St. George Fort,
Chennai – 600 009.



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M.SUNDAR, J.
and
R.SAKTHIVEL, J.

vsm

ORDER MADE IN
Cont.P.(MD)No.2283 of 2023

DATED : 01.12.2023