



Cont.P.No.1183 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2024

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

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1.P.Shankar
2.M.Santhakumar
3.T.Murugan
4.L.Kannapiran
5.T.Bellie
6.A.Senthilkumar
7.M.Sivalingam
8.P.Venkatesh
9.M.Srinivasan
10.S.Nagaveni
11.N.D.Mamtha
12.B.Kavithamani
13.Sasi Amorpavam
14.Sillisai
15.N.Meena

.. Petitioners

VS

1.The Joint Registrar of Cooperative Societies,
The Nilgiris Region,
Additional Collectorate,
Udhagamandalam,
Nilgiris District.

2.The Managing Director,
The Nilgiris Cooperative Enterprises Ltd.,
Udhagamandalam,
Nilgiris District.

.. Respondents

Petition filed under Section 11 of the Contempt of Courts Act,
1971 to punish the respondents for contempt of court by



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deliberately disobeying the order of this Court in W.P.No.12685 of 2023 dated 24.04.2023.

For Petitioner : Mr.S.Manoharan
For Respondents : Mr.J.Ravindarn
Additional Advocate General
assisted by
Mrs.Mythraye Chandru
Special Government Pleader

ORDER

Read this order in conjunction with and in continuation of order dated 04.01.2024 that reads as follows:-

"This is a final opportunity for filing counter and no counter has been filed Mr.J.Ravindran, learned Additional Advocate General assisted by Mrs.Mythraye Chandru, learned Special Government Pleader proceed on the basis that no counter is required and the necessity for counter stands waived.

2. Mr.Ravindran, prefers to go by the records and states that in Na.Ka.No.371 7/2018/A1 dated 17.04.2023, a special officer has been appointed.

3. This submission of the petitioner objecting to the aforesaid statement are as follows:-

(i) in order dated 24.04.2023, at paragraph 2, the submission of the then SGP who had appeared in the matter and specifically confirmed that no special officer has been appointed, has been recorded. This is the position as on 24.04.2023 as per the statement of the then SGP.



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(ii) *the petitioner has made two representations, one dated 26.04.2023 and the second through advocate on 27.04.2023, specifically referring to the appointment of the Special Officer. The authorities have replied on 27.04.2023 to the aforesaid communication and there is no statement therein that a Special Officer has been appointed on 17.04.2023.*

4. *Let the original records be produced.*

5. *List on 30.01.2024."*

2. Records are produced today to show that appointment of the Special Officer has indeed been done on 17.04.2023. According to learned Additional Advocate General, the then learned Special Government Pleader recorded under order dated 24.04.2023 that no Special Officer has been appointed, is incorrect.

3. In light of the position that the Special Officer has been appointed on 17.04.2023, the very premise of the matter shifts. The direction to permit the petitioner to continue till such time a Special Officer was appointed, was not feasible of compliance. The error committed by the respondents has led to the filing of this contempt petition and the prolonged hearing before the Court. Respondents are put to terms and will remit a sum of Rs. 50,000/- to the Cancer Institute, Adayar, Chennai, within a period of four



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weeks from receipt of a copy of this order.

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DR. ANITA SUMANTH,J.

ssm

4. This contempt petition is closed.

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Index:Yes/No
Neutral Citation:Yes
ssm

Note to Registry : Memo of compliance to be circulated in
Chambers once filed.

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