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Cont.P.No.1985 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 30.07.2024

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THE HONOURABLE DR. JUSTICE ANITA SUMANTH

Cont.P.No.1985 of 2023

M.Ranganathan (Deceased)

1.R.Jeevananth

2.R.Sivaranjani

3.M.Chinnapillai

... Petitioners

Vs

Thiru.Dr.V.Ravi,

The Secretary,

Tirupur Sports Organization,

36, K.P.N.Colony 1st Street,

Tirupur – 641 601.

... Respondent

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondents for violating the orders of this Hon'ble Court in W.P.No.6340 of 2019 dated 14.02.2022.

For Petitioners : Mr.G.Mutharasu

For Respondents : Mr.P.R.Balasubramanian

ORDER

Read this order in conjunction with and in continuation of order dated 23.07.2024 that reads as follows:

“This matter has been adjourned on 12 occasions to enable the parties to negotiate the matter. At the hearing conducted on 15.07.2024, final opportunity of one week was granted to the parties to arrive at a settlement.



Cont.P.No.1985 of 2023

2. When the matter is called today, the parties agree that no settlement has been arrived at, in which case it is incumbent upon the respondent to have taken necessary action in light of the directions at paragraph 7 of order dated 14.02.2022. In that order, I have permitted the legal heirs of the petitioner to approach R1 with all material particulars in respect of their claim and R1, bound by an order passed by this Court in 2011, was directed to take necessary action in regard to the petitioner's claim expeditiously and in any event not beyond a period of 12 weeks from date of receipt of the representation. The petitioners representation is dated 10.01.2023 and 12 weeks have long gone.

3. The respondent must produce a copy of the order of rejection in the event they are of the view the petitioners are not entitled to the claim made. Even that has not been produced despite the matter having been adjourned 12 times. If at all it is the case of the respondent that they have passed an order of rejection and communicated the same to the petitioner, at least that should have been communicated to the Court without having the matter adjourned on 13 occasions.

4. Learned counsel for the respondent states that the order of rejection will be produced on the next occasion and seeks a final opportunity. They are put to terms. Let costs of Rs.5,000/- be paid to the Cancer Institute, Adyar, Chennai-600 020. Order of rejecting the petition and proof of service be produced on 30.07.2024.

5. List on 30.07.2024 for compliance. Proof of remittance be filed by then."

2. Today a compilation is filed containing a letter dated 11.01.2024 that has been issued by the Tirupur Sports Organisation conveying to the petitioners that no bills or any certificate have been filed and the same may be filed before the District Sports Development Authority with a copy to the Collector.

3. This letter has also been served on the petitioners, as proof of service is placed at page 2 of compilation dated 29.07.2024. In fact, though compliance by the respondent is seen to be belated, the petitioner has itself



Cont.P.No.1985 of 2023

approached the respondent only on 10.01.2023, belatedly, in compliance with

the directions in paragraph 7 of order dated 14.02.2022 passed in W.P.No.6340

of 2019. Paragraph 7 is extracted below:

“7.In light of the circumstances as aforesaid, it would suffice to permit the legal heirs of the petitioner to approach R1 with all material particulars in respect of their claim and R1, bound by the order passed by this Court in 2011, will take necessary action in this regard, expeditiously and in any event within a period of 12 weeks from date of receipt of representation from the petitioners' legal heirs.”

4. The respondent was directed to take necessary action within 12 weeks from date of receipt of the representation. Since the representation was itself given only on 10.01.2023, this Court is of the considered view that the subsequent delay by the respondent, though deprecated, may be condoned.

5. The petitioners may, if they so desire, challenge order dated 11.01.2024 in a manner known to law.

6. This Contempt Petition is closed. No costs.

30.07.2024

Index : Yes / No

Speaking order: Yes

Neutral citations:Yes

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Cont.P.No.1985 of 2023

Dr.ANITA SUMANTH,J.
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Cont.P.No.1985 of 2023

30.07.2024