



Cont.P.(MD) No.370 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

CONT.P.(MD)No.370 of 2024

in

W.P.(MD)No.22682 of 2018

A.Radhakrishnan

... Petitioner

-VS-

1.P.V.Rajaraman, IAS.,
Secretary to Government,
Revenue Department,
Secretariat,
Chennai – 600 009.

2.P.Amudha, IAS,
Secretary to Government,
Home Department,
Secretariat,
Chennai – 600 009.



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3.K.Manivasan, IAS,
Secretary to Government,
Tourism, Culture and Endowments Department,
Secretariat,
Chennai – 600 009.

4.S.K.Prabakar, IAS,
Commissioner of Revenue Administration,
Chepauk,
Chennai – 600 005.

5.K.S.Palanisamy, IAS,
Commissioner of Land Administration,
Chepauk,
Chennai – 600 005.

6.V.K.Muralidharan, IAS,
Commissioner,
Hindu Religious & Charitable Endowments Department,
119, Nungambakkam High Road,
Chennai – 600 034.

7.G.Karthikeyan, IPS,
Inspector General of Police,
Central Zone,
Trichirapalli.



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8.M.Thangavel, IAS,
District Collector,
Karur.

9.Prakash,
Joint Commissioner,
Hindu Religious & Charitable Endowments Department,
Trichirapalli.

10.Saravanan,
The Executive Officer,
Arulmigu Kalyana Pasupatheeswarar Temple,
Karur Town.

... Respondents

PRAYER: Contempt Petition is filed under Section 11 of the Contempt of Courts Act praying to punish the contemnors / respondents for their willful disobedience of the order dated 15.11.2022 made in W.P.(MD)No.22682 of 2018, on the file of this Court.

For Petitioner : Mr.A.Radhakrishnan
Party-in-person

For Respondent 1 to 6, 8&9 : Mr.T.Amjad Khan
Government Advocate



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For Respondent No.7 : Mr.S.S.Madhavan

Government Advocate [Crl. Side]

For Respondent No.10 : Mr.P.Aathimoolapandian

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

Alleging willful disobedience of the order dated 15.11.2022, passed by this Court in W.P.(MD)No.22682 of 2018, this contempt petition is filed.

2.According to the petitioner, this Court has passed an order directing the authority concerned to take necessary action for removal of the encroachments in the temple property, by following the due process of law. According to the petitioner, the Joint Commissioner, 'Hindu Religious and Charitable Endowments Department' [hereinafter 'HR & CE Department'], Trichy was originally a party in the writ petition. But now the Joint Commissioner, Thiruppur is the competent authority. The said Joint Commissioner, Thiruppur, is not a part to this proceedings and notice has been sent only to Joint Commissioner, Trichy.



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3.Now, it is an admitted fact that Joint Commissioner, Thiruppur is the authority to comply the said order of this Court. Further, the petitioner has unnecessarily impleaded the respondents who are not relating to the HR & CE Department, namely respondents 1 to 8, for taking action under Section 78 of the HR & CE Act.

4.In such circumstances, the petitioner has not impleaded the necessary party in the contempt petition. Therefore, this Contempt Petition is closed with liberty to the petitioner to file the contempt petition afresh by impleading the necessary parties alone.

[D.K.K., J.] & [R.V., J.]
23.02.2024

NCC : Yes / No
Index : Yes / No
Internet: Yes / No
MR



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- 3.K.Manivasan, IAS,
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- 4.S.K.Prabakar, IAS,
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