



**SUB APPLICATION (MD) No.255 of 2024**

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**  
**Civil Appellate Jurisdiction**  
**Friday, the Eighteenth day of October Two Thousand and Twenty Four**  
**PRESENT**  
**The Hon`ble Mr.Justice ABDUL QUDDHOSE**  
**SUB APPLICATION (MD) No.255 of 2024**  
**in**  
**SUB APPLICATION (MD) SR.No.52443 of 2024**  
**in**  
**CONT P(MD). No.24 of 2023**

G. Selvaraj

...Petitioner/Petitioner/ Petitioner/ Petitioner

Vs

1. Mr.Pradeep Kumar  
The District Collector Trichy District  
Trichy.

2. Jerald  
The Commissioner,  
Anthanalur Panchayat Union,  
Srirangam Taluk,  
Trichy District.

... Contemnors/Contomnors/Contomnors/  
2<sup>nd</sup> & 7<sup>th</sup> Respondents

Prayer in SUB A(MD). 255/ 2024 :

To Condone the delay 367 of days in filing the Sub Application in Sub.A(MD) SR.52443 of 2024 to restore the Contempt Petition (MD) No.24 of 2023 dated 21.06.2023 and pass such further or other orders, as this Honourable Court may deem fit and proper in the circumstances of the case and thus render justice.

Prayer in SUB A(MD). SR No.52443 of 2024 :-

This petition filed under order II rule 4(20)A.S.RULES to condone the delay of 42 days in representing the papers and direct the office to receive the same.



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Prayer in CONT P(MD). No.24 of 2023:-

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Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the contemnors / respondents 2 and 7 for their willful disobedience of the order passed by the Court made in W.P.(MD).No.3174 of 2022, dated 18-02-2022 .

ORDER:- This Sub Application coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Thiru. S.Gokulraj , Advocate for the Petitioner and of M/s. D.Farjana Gowshia, Additional Government Pleader for the respondents, this Court made the following order:

This sub application has been filed seeking to condone the delay of 367 days in filing Sub Application (MD) SR No.52443 of 2024 seeking to restore the contempt petition in Cont.P.(MD) No.24 of 2023, which was closed through this Court's order dated 21.06.2023.

2. The said application has been filed by the petitioner on the ground that till date I.A.Nos.1 and 2 of 2023 in O.S.No.925 of 2015, pending on the file of the Principal District Munsif Court, Trichy, are yet to be disposed of by the learned Principal District Munsif, Trichy. By order, dated 21.06.2023 passed in Cont.P.(MD) No.24 of 2023, this Court closed the said contempt petition by directing the learned Principal District Munsif, Trichy, to dispose of I.A.Nos.1 and 2 of 2023 in O.S.No.925 of 2015 as expeditiously as possible. This application has been filed by the petitioner

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claiming that the respondents 2 and 7 in W.P.(MD) No.3174 of 2022 are contemnors.

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3. This Court does not understand as to how a contempt petition is maintainable as against the respondents 2 and 7 in the said writ petition, namely, Mr.M.Pradeep Kumar, District Collector, Trichy District and Mr.J.Jerald, Commissioner, Anthanallur Panchayat Union, Srirangam Taluk, Trichy District, when a direction was issued only to the Principal District Munsif Court, Trichy, to dispose of I.A.Nos.1 and 2 of 2023 in O.S.No.925 of 2015. It is also to be noted that no time limit was fixed for the Principal District Munsif Court, Trichy, to dispose of the said interlocutory applications, though this Court had directed the learned Principal District Munsif, Trichy, to dispose of the said interlocutory applications as expeditiously as possible. The order dated 18.02.2022, passed in W.P.(MD) No.3174 of 2022, which is the subject matter of Cont.P.(MD) No.24 of 2023, got merged with the subsequent order passed in the said contempt petition on 21.06.2023. Therefore, the question of relying upon the earlier order dated 18.02.2022, passed in W.P.(MD) No.3174 of 2022, does not arise that too when, as observed earlier, the respondents herein cannot be treated as contemnors, as this Court had given a direction only to the Principal District Munsif Court, Trichy, and not to the respondents herein. The delay of 367 days in filing a sub application to restore Cont.P.(MD) No.24 of 2023 is



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also not supported by any sufficient cause and that too when the main sub application itself is not maintainable, the question of entertaining this application seeking to condone the delay does not arise.

4. In the result, there is no merit in this sub application and the same is, therefore, dismissed. Consequently, Sub Application (MD) SR No.52443 of 2024 stands rejected. Consequently, Sub.A.(MD) SR No.52443 of 2024 stands rejected.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/11/2024

Sub Assistant Registrar  
(CS- I, II, III, IV)

krk

TO

1. The Principal District Munsif,  
Trichy.

2. The District Collector,  
Trichy District,  
Trichy.

3. The Commissioner,  
Anthanalur Panchayat Union,  
Srirangam Taluk,  
Trichy District.

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Copy to:

The Section Officer,  
Contempt Section,  
Madurai Bench of Madras High Court, Madurai.

+ 1CC TO M/S.S.Gokulraj Advocate S.R.No.58142.

ORDER DATED : 18/10/2024

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ORDER

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SUB A(MD) No.255 of 2024  
in  
SUB A(MD) SR.No.52443 of 2024  
in  
CONT P(MD). No.24 of 2023

Giving direction and etc.  
as stated within.

RD(14/11/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.