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CONT P No. 2112 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-08-2025

CORAM

THE HON'BLE MR.JUSTICE V. LAKSHMINARAYANAN

CONT P No. 2112 of 2025

D.Govintharaj
S/o.Duraisami,
No.220/8, Iyyer Kattuvalavu,
Deevattipatti Village,
Salem District-636 351.

..Petitioner

Vs

1. Dr.R.Brinda Devi, IAS and 3 others
The District Collector,
Room No.101, First Floor,
Collectorate,
Salem-636 001.
2. R.Ravikumar
The District Revenue Officer,
Periyakollappatty,
Salem District, Tamil Nadu-636 007.
3. P.Sukumar,
The Revenue Divisional Officer,
Subramania Nagar, Suramangalam,
Salem, Tamil Nadu 636 005.
4. Nagoor Meerasa K
The Tahsildhar, Kadayampatti Taluk Office,
Kadayampatti, Salem District, Salem 636 351.

..Contemnors



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Prayer : Contempt Petition under Section 11 of the Contempt of Courts Act 1971 to Punish the respondents for their wilful disobedience for the non-compliance of the order dated 15.05.2025 passed by this Hon'ble Court in W.M.P.No.20301 of 2025 in W.P.No.18133 of 2025.

For Petitioner :	Ms.Pooja J for Mr.D.Baskar
For Contemnors:	Mr.A.Selvendran Special Government Pleader

ORDER

Pleading that the interim order granted by this Court on 15.05.2025 has been violated, the petitioner has moved the present contempt petition. By that order, I had recorded that without the permission of the District Collector a religious institution was sought to be constructed and hence I granted an order of injunction. Despite the order of injunction, it is alleged that the fourth respondents proceeded with the construction.

2. When the contempt petition came up for hearing, I requested Mr.A.Selvendran, learned counsel appearing for the respondents to get instructions from the Tahsildar, Kadayampatti. He represented on 25.07.2025 that the fencing

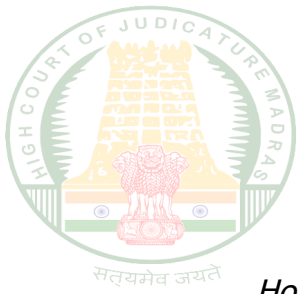


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has been put around the property after the grant of interim order has been removed.

3. Ms.Pooja insisted that the laying of the foundation itself was after the grant of the interim order. Mr.A.Selvendran has filed the affidavit of the fourth respondent Tahsildar to the following effect.

" 5. I state that even prior to filing of the writ petition, the respondents had laid a cement foundation after Ramzan ie., 31.03.2025. I state that this Hon'ble Court was pleased to pass an order of injunction on 15.05.2025, thereafter, Masjid Administration without our consent had laid a wire fencing around the Edigah ground. I state that the revenue officials had no role in erecting fence around the property. I state that only after the present contempt petition was filed, this respondent came to know about the fencing and immediately on 16.07.2025, this respondent removed the fencing erected in total violation of the orders of this Hon'ble Court. I state that the order of this Hon'ble Court has been complied to its letter and spirit and this respondent had not disobeyed the orders of this Hon'ble Court and it was Masjid Administration who had laid the barbed wire fencing. I humbly submit, at the outset, I tender my unconditional apology before this



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Hon'ble Court without any reservation whatsoever for any of the act or commission or omission on my part that may be considered or construed or likely to be constructed being an act, commission or omission, in violation of the orders of this Hon'ble court. I would like to humbly submit that the deponent herein has the highest regard and much respect for this Hon'ble Court and obeying the orders passed by this Hon'ble Court in its letter and spirit."

4. Ms.Pooja continues to insist that the foundation was laid after the interim order. The categorical case according to the respondents is that the foundation has been laid on 31.03.2025 and before the writ petition came to be presented before this Court. However, as the respondents have removed the offending construction which has been put up after the interim order, though there is a violation, I am not inclined to initiate contempt, as the property has been restored to its position as on date of the filing of the writ petition. The affidavit filed by the fourth respondent is recorded. The Contempt Petition is closed.

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V.LAKSHMINARAYANAN, J.

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