



CONT P(MD)No.363 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.02.2025

CORAM

THE HONOURABLE MRS.JUSTICE **S.SRIMATHY**

CONT P(MD)No.363 of 2025

S.Ghouse Yacoob Hussain

... Petitioner

vs.

R.Sakthivel,
The District Revenue Officer,
Competent Authority under TNPID Act,
Office of the District Revenue Officer,
Madurai District, Madurai.

... Contemnor

PRAYER: Petition filed under Section 11 of the Contempt of Court Act, 1971, to punish the contemnor for willfully disobeying and not complying with the order of this Court, dated 15.03.2024, in C.M.A.(MD)No.265 of 2024 and C.M.P. (MD)Nos.3744, 3351 and 3353 of 2024.

For Petitioner : Mr.D.Shanmugaraja Sethupathi

For Contemnor : Mr.R.Baskaran
Additional Advocate General
assisted by M/s.D.Farjana Ghouseia
Special Government Pleader



CONT P(MD)No.363 of 2025

WEB COPY

ORDER

This contempt petition is filed against the interim order, dated 15.03.2024 passed in C.M.A.(MD)No.265 of 2024, wherein this Court directed the respondents firstly to sell all other properties except Item No.3. Since the respondents had taken steps to sell the item No.3, the present contempt is filed.

2. It is seen that subsequently, the said CMA was taken up for hearing and another interim order, dated 12.12.2024, was passed wherein the Court directed the authorities to sell the properties in Item Nos.2 to 11. When the earlier interim order merges with the subsequent interim order, then the allegation of non-compliance of earlier order will not amount to contempt. Therefore, this Court is not inclined to entertain this contempt petition.

3. At this juncture the Learned Counsel appearing for the petitioner prayed to grant liberty to approach the CMA Court with a prayer to modify the subsequent interim order. However, the Learned Additional Advocate General appearing for the contemnor submitted that the Item Nos.2 and 3 are already sold



CONT P(MD)No.363 of 2025

WEB COPY

today, i.e., on 13.02.2025. The subsequent purchaser has also appeared before this Court and prayed not to modify the order. This Court in contempt petition cannot decide this issue. Therefore, the petitioner is at liberty to approach the CMA Portfolio Court for further clarification or modification of the order.

4. Hence, the contempt petition is dismissed. No costs.

Index : Yes / No

13.02.2025

Internet : Yes

Tmg

To

The District Revenue Officer,
Competent Authority under TNPID Act,
Office of the District Revenue Officer,
Madurai District, Madurai.



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S.SRIMATHY, J

Tmg

Order made in
CONT P(MD)No.363 of 2025

13.02.2025