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1

CONT.P.(MD)NO.921 OF 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.04.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CONT.P.(MD)No.921 of 2025 IN
W.P.(MD)No.18035 of 2024

K.Ganesan

... Petitioner / Petitioner

Vs.

Ms.M.Aruna, I.A.S.,
District Collector,
O/o.the District Collectorate,
Pudukottai District.

... Contemnor / 3rd Respondent

Prayer: Contempt petition filed under Section 11 of the Contempt of Courts Act 1971, to initiate contempt proceedings against the contemnor / respondent No.3 and punish her for the willful disobedience of the order of this Court in W.P.(MD)No.18035 of 2024 dated 01.08.2024.

For Petitioner : Mr.T.Thirumurugan

For Respondent : Mr.K.Balasubramani,
Special Government Pleader.

* * *

**ORDER**

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The petitioner herein filed W.P.(MD)No.18035 of 2024 for directing the District Collector, Pudukottai to take action against the President of the local body under Section 205(1)(a) of the Tamil Nadu Panchayats Act, 1994. The writ petition was disposed of on 01.08.2024 in the following terms:-

“Heard both sides.

2. The petitioner wants the third respondent to take action against the panchayat president under Section 205(1)(a) of the Tamil Nadu Panchayats Act, 1994. The said provision confers *suo motu* jurisdiction on the Inspector of Panchayats. When such a jurisdiction has been conferred, the Writ Court cannot issue any positive mandamus. Now that some information has been brought to the notice of the third respondent by the petitioner, it is for the third respondent to take call.

3. With this observation, the writ petition is disposed of accordingly. No costs.

2. Yet the petitioner has chosen to file this contempt petition as if there was wilful disobedience on the part of the District



Collector. I had specifically declined to issue writ of mandamus. I had only indicated that the matter is left to the discretion of the District Collector. Yet taking cue from the observation of this Court, the District Collector appears to have taken action. Even the report had also been received from the audit. In these circumstances, the petitioner could not have filed this contempt petition at all. Contempt petition could have been filed, if there is any wilful disobedience of the positive direction issued by this Court. Since there was no positive direction issued to the District Collector, the contempt petition could not have been filed at all. This contempt petition is dismissed.

02.04.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
PMU

To:

The District Collector,
O/o.the District Collectorate,
Pudukottai District.



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4

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G.R.SWAMINATHAN,J.

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W.P.(MD)No.18035 of 2024

02.04.2025



WEB COPY



5

CONT.P.(MD)NO.921 OF 2025