

Cont.P(MD)No.1630 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.06.2025

CORAM

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

Contempt Petition (MD)No.1630 of 2025

in

Civil Miscellaneous Petition(MD)No.1569 of 2025

in

Second Appeal (MD)No.71 of 2025

B.Jeyarajan

..Petitioner

Vs

Dinesh Ponraj Oliver
Inspector General of Registration,
100, Santhome High Road,
Chennai – 600 028.

..Respondent

Prayer: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 praying this Court to punish the contemnor/respondent for wilfully disobeying the order passed by this court in C.M.P(MD)No.1569 of 2025 in S.A(MD)No.71 of 2025 dated 30.01.2025.

For Petitioner	: Mr.K.K.Kannan
For Respondent	: Mr.S.Shaji Bino Spl. Govt. Pleader



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ORDER

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This contempt petition is filed complaining disobedience of the interim order dated 30.01.2025 granted in CMP(MD)No.1569 of 2025.

2. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondent.

3. It appears that there have been certain disputes between the members of the Usilampatti Nattathi Nadargal Uravinmuraikku Pathiyamana Nadar Saraswathy Higher Secondary School and Primary School Paribalana Sabai, Usilampatti. In this regard, a suit came to be filed in O.S.No.16 of 2015 and the same was disposed of on 29.03.2023 with the set of directions appointing an Advocate Commissioner for conducting the election for the society bearing Reg.No.35/61. As against which, the defendants have filed A.S.No.21 of 2023 on the file of the Additional District and Sessions Judge, Periyakulam. The appeal came to be dismissed with certain observations and liberty. Assailing the concurrent decision of the courts below, the petitioner herein preferred the second appeal in S.A(MD)No.71 of 2025. This court, by order dated 21.01.2025, admitted the second appeal and framed the substantial question of law and also had granted the following interim order in CMP(MD)No.1569 of 2025, which reads as follows:



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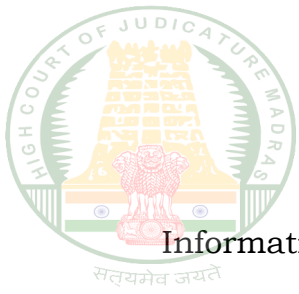
“The learned counsel appearing for the petitioners / appellants would submit that in the proceedings before the Hon'ble Apex Court in the case of Civil Appeal Nos. 9152 - 9154 of 2013, it was represented as if the Usilampatti Nattathi Nadargal Uravinmuraikku Pathiyamana Nadar Saraswathy Higher Secondary School and Primary School Paribalana Sabai, Usilampatty, bearing Registration No.35/1961 having its registered office at T.B.Road, at Usilampatty, Tamil Nadu - 625 532 (hereinafter referred as 'the Society' in short) is a party in O.S.No.16 of 2015, which is a subject matter of the present Second Appeal. Whereas the fact remains that no Society was a party, but, it was represented before the Supreme Court as if the Society was a party to the suit.

2. In view of the above submissions, the parties are directed to maintain status quo as on today.”

4. As per the interim order referred above, the parties were directed to maintain status quo as on 31.01.2025.

5. Now, the petitioner herein has come up with the above contempt petition complaining disobedience of the order as against the respondent.

6. It is the contention of the petitioner that they received a communication under the Right to Information Act from the Public

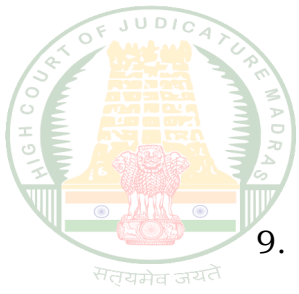


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Information Officer/District Registrar (Administration), Madurai South, dated 30.05.2025, wherein it is stated that an inspection was conducted on 02.05.2025, and pursuant to the inspection, the reports had been sent along with the petition to condone the delay for further proceedings to the Inspector General of Registration. Based on this communication, the learned counsel for the petitioner contends that the order is violated since Forms are received and further proceedings are taken.

7. The learned Special Government Pleader, on instructions from the Sub Registrar, who is present in the court, submitted that as per the judgment and decree passed by the first appellate court, the election process was conducted and Form 7 was filed on 08.01.2025, for which a receipt was also issued on 08.01.2025. However, the interim order of status quo was granted by this court only on 31.01.2025.

8. At this juncture, when it was pointed out as to the necessity for which an inspection was conducted on 02.05.2025 and the report has also been sent for further proceedings, the learned Special Government Pleader fairly submits that it was only a mistake and they will scrap the report prepared on 02.05.2025 based on the inspection conducted, and the status quo as of 31.01.2025 as directed by this court will be maintained till the disposal of the second appeal.



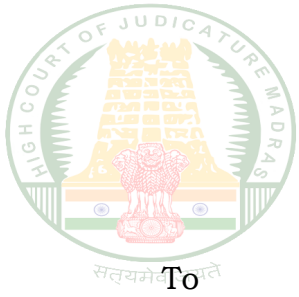
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9. The above contempt petition has been preferred as against the Inspector General of Registration. However, from the materials filed, this court does not find any breach of contempt committed on the part of the Inspector General of Registration. On the contrary, Form 7 was filed on 08.01.2025, and the receipt was also given on the same day. However, the inspection carried out by the District Registrar on 02.05.2025 was alone unnecessary, and the further report prepared based on that inspection is also not in consonance with the interim order granted by this court.

10. In view of the submission made by the learned Special Government Pleader that the inspection was made, but however, the report prepared based on that would stand scrapped, and the respondent will not take any further proceedings, as per the interim order granted by this court in the above civil miscellaneous petition till the disposal of the above second appeal, this court finds that there is no violation and disobedience on the part of the respondent. Hence, recording the submission, this contempt petition is dismissed. No costs. Connected sub. application is closed.

26.06.2025

NCC : Yes/No
Index : Yes/No
Internet:Yes
skn



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To

Mr.Dinesh Ponraj Oliver
Inspector General of Registration,
100, Santhome High Road,
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G.ARUL MURUGAN, J.

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