



CONT.P(MD)No.1944 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 14.08.2025

CORAM

THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

CONT.P(MD)No.1944 of 2025

T.Ponnuchamy

... Petitioner

VS.

Nagarajan,
Commissioner,
Rajapalayam Municipality,
Rajapalayam, Virudhunagar District.

... Respondent

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Courts Act to initiate contempt proceedings against the contemnor/3rd respondent and punish them for the wilful disobedience of the order passed by this Court in W.P.(MD)No.3308 of 2012, dated 09.02.2018.

For Petitioner :Mr.S.Ayyanar Prem Kumar
For Respondent :Mr.N.Dilip Kumar



WEB COPY

ORDER

This Court, by order, dated 21.07.2025, passed the following order:

“Heard Mr.S.Ayyanar Prem Kumar, learned Counsel for the petitioner and Mr.N.Dilip Kumar, learned Standing Counsel, who has accepted notice on behalf of the respondent. Hence, no need to issue notice to the respondent.

2.The present Contempt Petition has been filed for non compliance of the judgment and order passed by this Court in W.P.(MD)No. 3308 of 2012, dated 09.02.2018.

3.The Hon'ble Writ Court, vide judgment and order, dated 09.02.2018, was pleased to dispose of the said Writ Petition with the following directions:-

“2.Thus, without going into the merits of the matter, the third respondent is directed to consider the representation submitted by the writ petitioner on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose the copy of the representation and the relevant Government Orders along with the orders passed in this writ petition.”

4.The learned Counsel for the petitioner submits that despite the judgment and order passed by this Court in W.P.(MD)No.3308 of 2012, dated 09.02.2018, the respondent has not complied with the directions of this Court and he has wilfully and deliberately flouted the order passed by this Court and is in contempt of Court. Thus, he should be summoned and punished by exercising the powers under Sections 11 and 12 of the Contempt of Courts Act, 1971.

5.Mr.N.Dilip Kumar, learned Standing Counsel for the respondent submits that the respondent may be given a last opportunity to comply with the judgment and order passed by the Writ Court, dated 09.02.2018 within a period of three weeks from today and the respondent will file a compliance affidavit annexing a decision taken by him on the next date of hearing fixed.

6.Mr.S.Ayyanar Prem Kumar, learned Counsel for the petitioner has no objection to the aforesaid prayer made by the learned Standing Counsel for the respondent.



WEB COPY



CONT.P(MD)No.1944 of 2025

7. Accordingly, after hearing the learned Counsel for the parties, after perusal of the judgment and order made in W.P.(MD)No.3308 of 2012, dated 09.02.2018 and also considering the request made by the learned Standing Counsel for the respondent/contemnor, as a last opportunity, this Court grants three weeks and no more further time to the respondent/contemnor to make full compliance of the directions issued by this Court in W.P.(MD)No.3308 of 2012, dated 09.02.2018 without fail. The respondent is directed to communicate his decision to the petitioner and file an affidavit of compliance annexing the decision taken by him on or before the next date fixed. It is made clear that if the judgment and order, dated 09.02.2018, is not complied with on or before the next date fixed, the respondent is directed to appear in person before this Court on the next date of hearing and justify as to why the judgment and order dated 09.02.2018 is not complied with and as to why contempt proceedings should not be initiated as against him.

8. Put up this case 'for orders' on 14.08.2025 before this Court. Let a copy of this order be issued to Mr.N.Dilip Kumar, learned Standing Counsel for the respondents for its necessary compliance and information."

2. Today, when the matter is taken up, Mr.N.Dilip Kumar, learned Standing Counsel for the respondent, in compliance of the order passed by this Court, dated 21.07.2025, produced a compliance affidavit annexing an order, dated 24.07.2025, passed by the respondent and submits that the judgment and order passed by the Writ Court, dated 09.02.2018, has been complied with by the respondent. This fact has been stated in paragraph No. 5 of the compliance affidavit. The order passed by the respondent, dated 24.07.2025, is taken on record. A copy of the order passed by the



CONT.P(MD)No.1944 of 2025

respondent has also been given to the learned Counsel for the petitioner.

Thus, the learned Standing Counsel for the respondent submits that as the judgment and order passed by this Court has been fully complied with by the respondent, the respondent may be discharged from the present contempt proceedings and the present Contempt Petition may be disposed of.

3.Mr.S.Ayyanar Prem Kumar, learned Counsel for the petitioner submits that he has also received the copy of the order passed by the respondent, dated 24.07.2025, and submits that the respondent has made complied with the judgment and order passed by this Court 09.02.2018 passed in W.P.(MD)No.3308 of 2012. Thus, he submits that he has no objection that the respondent may be discharged from the present contempt proceedings and the Contempt Petition may be disposed of.

4.After considering the arguments, as advanced by the learned Counsel for the parties and after perusal of the order passed by this Court in W.P.(MD)No.3308 of 2012, dated 09.02.2018 and the order passed by the respondent, dated 24.07.2025, this Court is also satisfied that the respondent



CONT.P(MD)No.1944 of 2025

has made fully complied with the directions issued by this Court and no useful purpose will be served in continuing the present contempt proceedings any further. Accordingly, the respondent is discharged from the present contempt proceedings and the present Contempt Petition is disposed of. The file is consigned to record. No order as to costs.

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

14.08.2025

cmr



WEB COPY



CONT.P(MD)No.1944 of 2025

SHAMIM AHMED, J.

cmr

CONT.P(MD)No.1944 of 2025

14.08.2025