

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE AG.CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

TUESDAY, THE 20TH DAY OF JANUARY 2015/30TH POUSHA, 1936

Con.Case(C).No. 76 of 2015 (S) IN WP(C).8764/2009

AGAINST THE ORDER/JUDGMENT IN WP(C) 8764/2009 of HIGH COURT OF KERALA
DATED 03-12-2009

PETITIONER(S)/PETITIONER:

SREENIVAS P. AGED 38 YEARS
S/O. PARAMESWARAN NAIR, ANJANATHIL, KARAZHMA
MAVELIKARA, ALAPPUZHA DISTRICT.

BY ADVS.SRI.M.R.ARUNKUMAR
SRI.P.SHAMMI NAVAS

RESPONDENT(S)/1ST RESPONDENT:

P.R.BALACHANDRAN NAIR
AGE AND FATHER'S NAME NOT KNOW TO THE PETITIONER
SECRETARY, TRAVANCORE DEVASWOM BOARD
OFFICE OF THE TRAVANCORE DEVASWOM BOARD, NANTHANCODE
KOWDIAR POST, THIRUVANANTHAPURAM - 695 003.

BY SRI.D.SREEKUMAR, SC, TDB

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING COME UP FOR
ADMISSION ON 20-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

ASHOK BHUSHAN, Ag.CJ & A.M.SHAFFIQUE, J

Cont.Case (C).No. 76 of 2015

Dated this the 20th January, 2015

JUDGMENT

Ashok Bhushan, Ag.CJ.

This is an application seeking for a direction for initiating proceedings for contempt for violation of judgment dated 3.12.2009 in W.P(C).No.8764 of 2009. The submission of learned counsel for the applicant is that as directed in paragraph 3 of the judgment, no permanent Santhis have been appointed in the temple for about three years.

2. There are two reasons due to which this contempt application cannot be entertained or proceeded with. Firstly, the direction was issued on 3.12.2009. This contempt case has been filed only on 19.1.2015. Section 21 of the Contempt of Court Act prohibits initiation of any proceedings after lapse of one year. The non compliance of direction issued in 2009 cannot be entertained in this

application filed in 2015. Secondly, there are no such direction in paragraph 3 of the judgment as contended by learned counsel for the applicant.

The Contempt Case is closed.

**ASHOK BHUSHAN
ACTING CHIEF JUSTICE**

**A.M.SHAFFIQUE
JUDGE**

vgs20/1/15