

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE C.T.RAVIKUMAR

FRIDAY, THE 13TH DAY OF MARCH 2015/22ND PHALGUNA, 1936

Con.Case(C).No. 176 of 2015 (S) IN WP(C).29911/2013

**AGAINST THE JUDGMENT IN WP(C) 29911/2013 of HIGH COURT OF KERALA DATED
12-03-2014**

PETITIONER(S)/PETITIONER:

**SIBILMON STEPHEN AGED 39 YEARS
S/O.K.ESTHAPPAN, NEERATTUPARA HOUSE, VALLICHIRA P.O.
MEENACHIL TALUK, KOTTAYAM DISTRICT
(REPRESENTED BY THE POWER OF ATTORNEY HOLDER
K.ESTHAPPAN, S/O.ESTHAPPAN KURIAN, NEERATTUPARA HOUSE
VALLICHIRA P.O., MEENACHIL TALUK, KOTTAYAM DISTRICT).**

**BY ADVS.SRI.T.R.RAVI
SRI.JAWAHAR JOSE
SRI.V.VINAY MENON
SMT.CISSY MATHEWS
SRI.ARUN AJAY SHANKAR**

RESPONDENT)/1ST RESPONDENT:

**TOBY THOMAS
AGE ABOUT 35 YEARS
FATHER'S NAME NOT KNOWN TO THE PETITIONER, SECRETARY
PALA MUNICIPALITY, PALA P.O.
KOTTAYAM DISTRICT-686575.**

BY ADV. SRI.V.M.KURIAN, SC, PALA MUNICIPALITY

**THIS CONTEMPT OF COURT CASE (CIVIL) HAVING COME UP FOR ADMISSION ON
13-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER'S ANNEXURE:

- ANNEXURE-1 : COPY OF JUDGMENT DATED 12.03.2014 IN WPC NO.29911/2013
- ANNEXURE-II : COPY OF COMMUNICATION DATED 28.11.2014 ISSUED BY THE RESPONDENT
- ANNEXURE-III : COPY OF LAWYER NOTICE DATED 09.01.2015 ISSUED BY THE PETITIONER
- ANNEXURE-IV : COPY OF POSTAL RECEIPT ISSUED FOR THE REGISTRATION OF ANNEXURE-III NOTICE
- ANNEXURE-V : COPY OF POSTAL ACKNOWLEDGMENT EVIDENCING THE RECEIPT OF ANNEXURE-III NOTICE

RESPONDENTS' EXHIBITS: N I L

//TRUE COPY//

P.A. TO JUDGE

JV

C.T. RAVIKUMAR, J.

Cont.Case(C) No.176 of 2015

Dated this the 13th day of March, 2015

JUDGMENT

This Contempt case has been filed alleging willful disobedience with the directions of this Court in the judgment dated 12.03.2014 in WPC 29911/2013. The respondent would submit that it is the failure on the part of the petitioner in the contempt petition/writ petition to produce the 'Fire No Objection Certificate' despite the initiation that disabled the respondent from complying with the directions. The learned counsel for the petitioner submitted that the Fire No Objection Certificate would be produced before the respondent. In such circumstances, it can only be said that there is no willful disobedience from the part of the respondent in complying with the directions. In the result, leaving liberty to the petitioner to produce the Fire No Objection Certificate before the respondent for the purpose of enabling him to comply with the directions, this Contempt Case is closed.

JV

SD/-
C.T. RAVIKUMAR,
JUDGE