

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 11TH DAY OF MARCH 2015/20TH PHALGUNA, 1936

Con.Case(C).No. 369 of 2015 (S)

WP(C).NO. 19068/2014 OF THIS HONOURABLE COURT DATED 24-10-2014

PETITIONER :

**M/S. SHA BUILDERS & DEVELOPERS (P) LTD.
REP. BY ITS MANAGING PARTNER M.A.SHAMEER
35 YEARS OF AGE, S/O. ABDULLA KUNHI HAJI,
RESIDING AT M.A.K. HOUSE
MASTHIKKUND, MULIYAR VILLAGE,
POST MULIYAR-671 542
KASARGOD TALUK.**

**BY ADVS.SRI.SHIRAZ ABDULLA
SRI.JOJO PAPPACHAN**

RESPONDENT :

**JEEVAN BABU I.A.S.,
AGE AND FATHERS NAME NOT KNOWN TO THE PETITIONER
SUB COLLECTOR, KASARGOD, RESIDING AT NILESWAR
NEAR TALI TEMPLE, P.O.NILESWAR, KASARGOD-671 121.**

BY SR. GOVT. PLEADER SRI. M.A. FAYAZ

**THIS CONTEMPT OF COURT CASE (CIVIL) HAVING COME UP FOR
ADMISSION ON 11-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

APPENDIX

PETITIONERS' ANNEXURES :

ANNEXURE A1 : COPY OF THE JUDGMENT DTD. 24-10-14.

ANNEXURE A2 COPY OF THE ORDER DTD. 12-12-14 ISSUED BY RESPONDENT.

ANNEXURE A3 COPY OF THE RE-WRITTEN COPY OF THE REPRESENTATION
DTD. 12-12-14.

ANNEXURE A4 COPY OF THE COMMUNICATION DTD. 19-12-2014.

RESPONDENT'S ANNEXURES : NIL

//TRUE COPY//

P.S. TO JUDGE

Mn

A.MUHAMED MUSTAQUE, J.

C.O.C No. 369 OF 2015

Dated this the 11th day of March, 2015

JUDGMENT

The petitioner has approached this Court by filing contempt case stating that the respondent, with a view to deprive the petitioner the benefit of the judgment, passed Annexure A4 order declining to incorporate the petitioner's name in Annexure A2 order. In fact, By Ext.A2 order, the direction of this Court in Annexure A1 judgment has been complied with by the Sub Collector, Kasaragod. The petitioner has no grievance against the respondent to the effect that he has not passed orders in terms of the direction of this Court in Annexure A1 judgment. The only question points out by the petitioner is that the Sub Collector declined to incorporate the name of the petitioner in the impugned order so as to enjoy the benefits of Annexure A4 order.

3. I am not expressing anything on the merits of the issue as the validity of such order could be challenged

before this Court in the original side. The only question in the contempt case is whether the respondent has violated the orders of this Court. As seen from Annexure A2 proceedings itself, the judgment has been complied with in full spirit.

In view of the above facts and circumstances, with a liberty to challenge Annexure A4 order, this contempt case is closed.

Sd/-

A.MUHAMED MUSTAQUE,
Judge.

dpk

/True copy/ P.S to Judge.

