

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

THURSDAY, THE 26TH DAY OF FEBRUARY 2015/7TH PHALGUNA, 1936

Con.Case(C).No. 1111 of 2014 (S)

JUDGMENT IN WP(C) 10224/2014 DATED 09-01-2014

PETITIONER:

MUNEERA SHOWKATH ALI
W/O.SHOUKKATH ALI, KUTTANKAVIL, KULATHOOR P.O
KONDOTTY, MALAPPURAM DISTRICT - 673 638

BY ADV. SRI.K.SHIBILI NAHA

RESPONDENT/2nd RESPONDENT:

SRI.BIJU, S/O.KRISHNANKUTTY, DISTRICT COLLECTOR, MALAPPURAM

R1 BY GOVERNMENT PLEADER SRI.JOSEPH GEORGE

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING COME UP FOR
ADMISSION ON 26-02-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

ANNEXURE I: CERTIFIED COPY OF THE W.P.(C) NO. 10224/013 DATED
9.1.2014 OF THIS HON'BLE COURT.

ANNEXURE II: TRUE COPY OF THE ORDER DATED 23.3.2014 PASSED BY THE
RESPONDENT.F

RESPONDENT'S EXHIBITS:

ANNEXURE R1 (A): TRUE COPY OF THE RELEVANT PAGES OF THE DRAFT DATA
BANK.

ANNEXURE R1 (B): TRUE COPY OF PROCEEDINGS NO.B4/20313/2014/1 DATED
4.11.2014.

TRUE COPY

PA TO JUDGE

Scl.

P.R. RAMACHANDRA MENON, J.

Cont. Case (C) No.1111 of 2014

Dated this the 26th day of February, 2015.

JUDGMENT

The grievance of the petitioner is in respect of the non-compliance of the direction given by this Court as per Annexure I judgment dated 9.1.2014 in W.P.(C) No.10224 of 2013. It is stated that, pursuant to the said verdict, the matter was considered by the second respondent in the writ petition, who passed Annexure II order dated 23.3.2014, which according to the petitioner, is not in conformity with the direction given.

2. Heard the learned Government Pleader as well.

3. An affidavit has been filed by the second respondent also producing copies of the relevant documents. It is stated that, the matter was considered as directed by this Court and it was accordingly, that Annexure II order was passed. The direction given by this Court as per paragraph 6 of the judgment reads as follows:

“6. In the said circumstances, there will be a direction to the second respondent to consider the claim of the petitioners to have their grievances redressed, taking necessary steps and passing appropriate orders on Ext.P4 applications, in the light of Exts.P7 and P9 reports and taking note of the law declared by this Court in the decisions cited supra. The proceedings as above shall be finalized, after giving an opportunity of hearing as expeditiously as possible, at any rate, within two months from the date of receipt of a copy of this judgment.”

4. It is seen that the grievance of the petitioner was considered and a decision was rendered as per Annexure II. It may be true that the petitioner may be having a grievance as to the manner of appreciation of the relevant facts and the question of law. If the idea and understanding of the District Collector is not correct and not in conformity with the law, it is always open for the petitioner to have it challenged by filing a fresh writ petition or by way of other appropriate proceedings.

5. This Court finds that, it is not a fit case to invoke the jurisdiction under the Contempt of Court Act, holding that there is any contumacious Act amounting to wilful

disobedience of the direction by this Court.

Accordingly the matter stands closed, without prejudice to the rights and liberties of the petitioner to challenge Annexure II order.

Sd/-
P.R. RAMACHANDRA MENON
JUDGE

Scl.