

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

WEDNESDAY, THE 8TH DAY OF JULY 2015/17TH ASHADHA, 1937

Con.Case(C).No. 1408 of 2014 (S) IN WP(C).20710/2013

AGAINST THE ORDER/JUDGMENT IN WP(C) 20710/2013 of HIGH COURT OF KERALA
DATED 20.11.2013

PETITIONER:

A.ABDUL VAHID, AGED 53 YEARS
S/O.ABDUL KARIM, PALLIKIZHAKATHIL,, KUMMANNUR P.O
KONNI, PATHANAMTHITTA 689 691

BY ADVS.SRI.SHABU SREEDHARAN
SRI.TONY THOMAS (INCHIPARAMBIL)
SMT.RESHMA ABDUL RASHEED

RESPONDENT:

P.PUKAZHENTHI
(AGE AND FATHER'S NAME NOT KNOWN TO THE
PETITIONER) THE CHIEF CONSERVATOR OF FOREST
SOUTHERN CIRCLE, KOLLAM 691 001

R BY SPECIAL GOVERNMENT PLEADER SRI. M.P. MADHAVANKUTTY

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING BEEN FINALLY HEARD
ON 08-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

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APPENDIX

PETITIONER'S ANNEXURES :

ANNEXURE 1 : THE CERTIFIED COPY OF THE JUDGMENT IN W.P.(C)
NO. 20710 OF 2013 DATED 20.11.2013

ANNEXURE 2 : THE TRUE COPY OF THE REPRESENTATION DATED 16.12.2013

/TRUE COPY/

P.A. TO JUDGE

P.R. RAMACHANDRA MENON J.

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against

W.P.(C) No. 20710 of 2013

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Dated, this the 8th day of July, 2015

JUDGMENT

The writ petition was disposed of with the following directions :

"4..... The petitioner is set at liberty to file a proper representation before the second respondent forthwith, upon which the same shall be caused to be considered and due amount, if any, shall be released to the petitioner, at the earliest. It is made clear, this will not bar the way of the respondents in proceeding with the vigilance case/enquiry, which is stated as pending against the petitioner."

2. Alleging wilful disobedience of the aforesaid direction, the petitioner has approached this Court by filing the present contempt matter. An affidavit has been filed from the part of the respondent stating that the direction given by this Court has been complied with, by passing orders on the representation filed by the petitioner, causing disbursement of the due amount as borne by Annexure R1(a)

dated 03.12.2014. Paragraph 5 of the said affidavit is relevant, which reads as follows :

"5. It is respectfully submitted that this respondent has already complied with the directions contained in Annexure I judgment. The representation submitted by the petitioner has been disposed of and the due amount to the petitioner (Rs.3,43,260/-) has been paid to him vide cheque bearing No. 250240 dated 13.02.2015. There is no amount due towards him. I am hereby producing the proceedings dated 03.02.2014 bearing No. QC4 7261/13 whereby the representation submitted by the petitioner has been disposed of. A true copy of the proceedings dated 03.12.2014 bearing No. QC4 7261/13 is produced herewith and marked for identification as **Annexure R1(a).**"

3. The learned counsel for the petitioner points out, with reference to the affidavit dated 31.03.2015, that the actual amount due to the petitioner has not been released so far. It is stated that an amount of Rs.77,695/- is still to be disbursed to him.

4. After hearing both the sides, this Court finds that the dispute with regard to the quantum cannot form the subject matter

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of the contempt matter. If the petitioner is aggrieved in any manner, it is always open for him to have it challenged by way of appropriate proceedings.

Without prejudice to the rights of the petitioner as above, the contempt matter is disposed of.

Sd/-

**P. R. RAMACHANDRA MENON,
(JUDGE)**

kmd