

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16-02-2015

CORAM

THE HONOURABLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

CONTEMPT APPEAL No.6 of 2014

and

M.P.No.1 of 2014

D.Narayana Nadar ... Appellant / Respondent

vs

P.K.Ramakrishnan ... Respondent/ Petitioner

Contempt appeal filed under Section 19 of the Contempt of Courts Act, 1971 against the order dated 30.6.2014 made in Contempt Petition No.1003 of 2012 in S.A.No.330 of 2011.

filed under Section 10 & 12 of contempt of Courts Act to punish the respondent for violating the undertaking given before this Court in its Judgment and decree dated 1.4.2011 made in S.A.No.330/2011 against the decree of the Subordinate Judge, Udumalpet dated 1.12.2010 in Appeal Suit No.12 of 2010 preferred against the decree of the Court of the District Munsif, Udumalpet in O.S.No.317 of 1996 dated 31.3.2008.

For Appellant : Mr.M.Vallinayagam
Senior Counsel
for Mr.B.Vijay

For Respondents : Mr.T.V.Ramanujam
Senior Counsel
for Mr.C.Jagadish

JUDGMENT

(Judgment of the Court was delivered by
THE HON'BLE CHIEF JUSTICE)

Learned Counsel for appellant pleads that since the decree stands executed and fine deposited, the appellant may be exempted from undergoing sentence while upholding the conviction for contempt. He further submits that the appellant will give contribution to some good cause, which would be more appropriate

than sending the old man behind bars, a course of action which even the respondent suggests.

2.We, thus, direct the appellant to contribute Rs.25,000/- (Rupees twenty-five thousand only) each to the following two institutions doing social work.

(i) The Banyan Adaikalam
6th Main Road,
Mugappair Eri Scheme
Mugappair West
Chennai 600 037

(ii) Vishranthi Home for Aged
ECR, Chennai.

3.The aforesaid amount be deposited within one month from today.

4.On the deposit of the aforesaid amount, the receipts of which will be filed in Court, the punishment of sentence of two months Simple Imprisonment shall stand set aside with the hope that the appellant does not give us any future cause for taking a stringent view qua any other proceedings.

5.The contempt appeal accordingly, stands disposed of. No costs. Consequently, connected MP is closed.

Sd/-
Asst.Registrar (CS II)

/true copy/

सत्यमेव जयते Sub Asst. Registrar

nsv

To

1. The Banyan Adaikalam
6th Main Road,
Mugappair Eri Scheme
Mugappair West
Chennai 600 037

2.Vishranthi Home for Aged ECR,
Chennai.

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3. The Subordinate Judge
Udumalpet

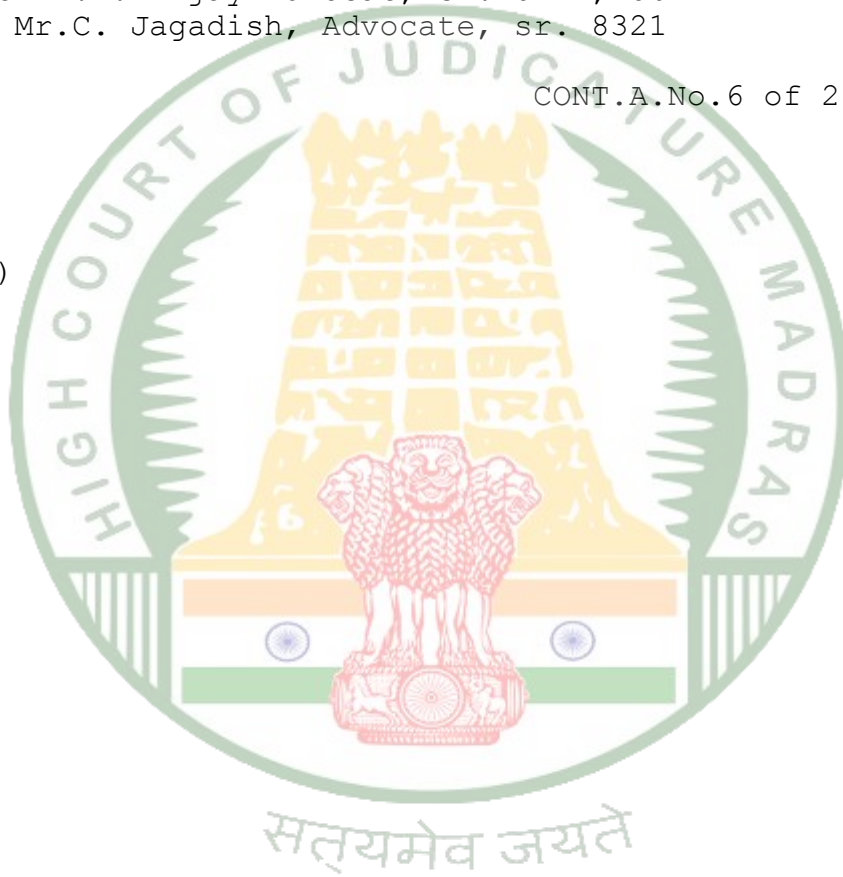
4. The District Munsif
Udumalpet

5. The Section Officer
Accounts Section,
High Court, Madras

2 ccs to Mr.B. Vijay Advocat, sr. 8422, 8622
1 cc to Mr.C. Jagadish, Advocate, sr. 8321

CONT.A.No.6 of 2014

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