

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.12.2015

CORAM:

THE HONOURABLE MR. JUSTICE T.RAJA

Contempt Petition No.1066 of 2015

K.Kannusamy

.. Petitioner

Vs.

P.Kandasamy

.. Respondent

Contempt Petition filed under Section 11 of the Contempt of Courts Act, praying to punish the respondent/defendant for contempt having disobeyed the directions of this Hon'ble Court made in S.A.No.852 of 2012 dated 2.9.2014.

For Petitioner

.. Mr.M.Ravi

For Respondent

.. Mr.I.C.Vasudevan

For Inspector of Police,
Sathyamangalam

Police Station. ... Mrs.P.Kavitha,
Erode District Government Advocate

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ORDER

Pursuant to the order passed by this Court issuing Non-Bailable Warrant dated 26.11.2015, Mr.C.Subramanian, Inspector of Police, Sathyamangalam Police Station, Erode District, has produced the contemnor, P.Kandasamy.

2. Mr.I.C.Vasudevan, learned counsel appearing for the contemnor tendered an unconditional apology and submitted that since the contemnor was a sugar cane cutter and he was staying in Karnataka doing sugar cane cutting job, he was not available at the time when the statutory notice was served and therefore, he was unaware of the statutory notice. However, he has now removed the enroachment / projection to an extent of 3.9 feet x 30 feet on the southern side and 2 feet x 30 feet on the northern side. He also filed an affidavit sworn by the contemnor wherein he has stated that since he was staying at Karnataka doing sugar cane cutting and he did not return to his native place, he was unable to comply with the order of this Court complained in this Contempt Petition and he was unaware of the statutory notice. He tendered an unconditional apology and prayed for recalling the Warrant.

3. The learned counsel appearing for the petitioner also admitted that the order complained in this Contempt Petition has been duly complied with.

4. Since the order of this Court has been complied with, this Court is inclined to accept the unconditional apology tendered by the contemnor and the Non-Bailable Warrant is recalled. The unconditional apology tendered

by the contemnor is placed on record. He is allowed to go free. The contempt Petition stands closed.

asvm

SD/-
DEPUTY REGISTRAR (CLAA)

//Certified to be true copy//

Dated at Madras this the day of 2016.

COURT OFFICER (O.S.)

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SS/CO/20/01/2016

To

The Inspector of Police,
Sathyamangalam Police Station,
Erode District.

सत्यमेव जयते

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