

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : **23.11.2015**

Coram

The Honourable **Mr.JUSTICE S.NAGAMUTHU**

Contempt Petition No.2085 of 2014

Malar ... Petitioner
-Versus-
Jeeva,
President,
Dhadhapuram Panchayat,
Thindivanam Taluk. ... Respondent

Petition filed under Section 11 of the Contempt of Courts Act, praying to punish the respondent for having committed contempt by willfully disobeying the order of this Court dated 04.06.2014 made in M.P.No.1 of 2014 in W.P.No.14392 of 2014.

For Petitioner : Mr.G.Appavu

For Respondent : Mr.R.Rajeswaran
Special Government Pleader
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O R D E R

This petition has been filed alleging that the interim order of this Court made in M.P.1 of 2014 in W.P.No.14392 of 2014 has been violated by the respondent.

2. I have heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondent as well as perused the records carefully.

3. According to the petitioner, the Civil Court has granted decree in O.S.No.335 of 2007 restraining the respondent from digging any bore well within a distance of 100 meters from the existing well comprised in S.No.247/4 in the suit village. Now, in violation of the same, according to the petitioner, a bore well has been dug.

4. In the counter filed by Mrs.K.Jeeva, the respondent herein, it is stated that only an existing well was further deepened and that the order of the Court has not been violated.

5. I have considered the above submissions.

6. In my considered view, the decree passed by the Civil Court is executable and therefore the remedy for the petitioner is to work out before the Civil Court. In that view of the matter, the further proceedings in this contempt petition is dropped and the contempt petition is closed. No costs.

kk

SD/-

DEPUTY REGISTRAR (CLAA)

//Certified to be true copy//

Dated at Madras this the day of 2015.

COURT OFFICER (O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.

SS/CO/14/12/2015

One CC to The Government Pleader, Sr.No.14482

To
The President,
Dhadhapuram Panchayat
Thindivanam Taluk.

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