

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :16.11.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

Contp. No.2593 of 2015

Pichiammal
rep. by her power Agent Pavalayee [PETITIONER]

Vs

1. Mr.M.Jalal Mohindeen
Land Acquisition (Spl.) Tahsildar
(Neighbourhood Scheme), Salem 8.
2. Mr.G.T.Selvam
Executive Engineer and Administrative Officer
Tamil Nadu Housing Board
Salem Housing Unit, Salem 8. [RESPONDENTS]

PRAYER : Contempt Petition is filed to punish the respondents herein for wilful disobedience of the order dated 19.10.2012 made in Contempt No.300 of 2012 in W.P.No.12409 of 2005 as the respondents failed to comply with their own undertaking given before this Court in Contempt Proceedings in Contempt No.300 of 2012 in W.P.No.12409 of 2005.

For Petitioner : Mr.Vasantha Kumar
for Mr.R.Prabhakaran
For Respondents : Mr.R.Rajeswaran,
Spl.Govt. Pleader

O R D E R

This contempt petition has been filed against the non-compliance of the order and direction issued by this Court in Contempt No.300 of 2012 in W.P.No.12409 of 2005 dated 19.10.2012.

2. In the said Contempt Petition, this Court passed the following order :

" This Contempt Petition has been filed alleging willful disobedience of the order and direction dated 16.7.2010 made in W.P.No.12409 of 2005.

2. The matter has been adjourned from time to time and the learned Additional Advocate General appearing for the respondents on earlier occasions submitted that the payment for compensation has been processed and the petitioner will be paid the amount.

3. Today, the learned Additional Advocate General produced a copy of the proceedings of the District Revenue Officer, Namakkal, dated 12.10.2012. By relying upon the said proceedings, it is submitted that the total amount payable to the petitioner has been computed, the order has been passed and the deposit of the said amount will be made within a period of three weeks.

4. Recording the said submissions, this Contempt Petition is to be closed by directing the respondents to deposit amount so determined in the proceedings dated 12.10.2012, within a period of three weeks from the date of receipt of a copy of this order. "

3. The petitioner would state that after the order was passed by this Court, the matter was taken up by the Lok Adalat and an amount of Rs.34,72,807/- was paid to her as compensation, whereas the amount which has been computed

and mentioned before this Court was much higher.

4. In my view this Contempt Petition is not maintainable as it is not the case of the petitioner that despite the order passed by this Court in Contempt Petition No.300 of 2012 in W.P.No.12409 of 2005, the Lok Adalat has passed the Award. From the copy of the Award, which has been filed in page No.65 of the typed set of papers, it is seen that the petitioner was represented by her counsel.

5. Therefore, this Contempt Petition is rejected as not maintainable. However, this will not prejudice the rights of the petitioner to work out other remedies, which may be available to her. No costs.

rpa

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/17/12/2015

One CC to Mr.R.Prabhakaran, Advocate Sr.No.14126

To

1. Land Acquisition (Spl.)
Tahsildar,
(Neighbourhood Scheme)
Salem - 8.

2. Executive Engineer and Administrative Officer,
Tamil Nadu Housing Board
Salem Housing Unit,
Salem - 8.