

**THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN**

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**CONTEMPT CASE No.970 of 2013**

**ORDER:**

The order, violation of which is alleged in this Contempt Case, is the order passed by this Court in W.P.No.7476 of 2013 dated 15.03.2013 wherein all the parties i.e. the petitioner, official respondents and the unofficial respondents were directed to maintain *status quo* in all respects as on the date of the order.

This Contempt Case is filed alleging that, subsequent to the *status quo* order, the respondents had drawn a pipeline, from the submersible pump located in the disputed land, for the drinking water needs of their college. The photographs placed before this Court clearly show that a submersible pump was in existence, on the disputed land, even before the order of *status quo* was passed. While the photographs filed on behalf of the petitioner by Sri Avinash Desai, learned counsel for the petitioner, do indicate a water pipe, connecting the submersible pump located in the disputed land, to the land under the undisputed possession of the writ petitioner, the other photographs placed before this Court are hazy and unclear. Proceedings under the Contempt of Courts Act, 1971 are quasi-criminal in nature; and any doubt, regarding violation of the order of the Court, must be held in favour of the alleged contemnor, and would require this Court to refrain from taking action against the respondents under the Contempt of Courts Act. In any event laying of a small water pipeline, even if true, to cater to the drinking water needs of the inmates of the college is not such a serious/grave violation which would necessitate action being taken against the respondents under the Contempt of Courts Act.

The Contempt Case is, accordingly, closed. Miscellaneous petitions pending, if any, shall also stand closed. There shall be no order as to costs.

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**RAMESH RANGANATHAN, J**

09<sup>th</sup> October, 2015.

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