



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND

The Hon'ble MR.JUSTICE M.SATHYANARAYANAN

L.P.A. No.8 of 2015

K.Pushpalatha

... Appellant

-Vs-

1.M.S.Moorthy
2.I.Rahamathullah
3.Gopinath Goswamy
4.P.V.Vasudevan
5.J.Saroja
6.Y.R.Bhaskar
7.Alex P.Varghese
8.George Thomas
9.Jayachitra.G.
10.Krishna Ganesan
11.M.Sumathi
12.Suresh Jagannathan

... Respondents

Appeal filed under Clause 15 of the Letters Patent against the order dated 29.10.2015 made in Cont.P.No.3040 of 2014 in M.P.No.2 of 2014 in C.R.P.No.3955 of 2010 on the file of this Court.

Cont.P.No.3040 of 2014 : Petition praying under Section 11 of the Contempt of Courts Act, pleaded to punish the respondents herein for the Act of Contempt of Court for having not obeyed the order of this court dated 30.04.2014 and made in M.P.No.2 of 2014 in C.R.P.No.3955 of 2010.

M.P.No.2 of 2014 : Petition filed and pleaded to pass an order of ad-Interim Injunction restraining the respondents 1 & 5 or their men, agents, servants any other persons claiming through them from disconnecting or interfering with the water supply of the petitioners premises in Flat No.203, Sruthi Block, Chitra Avenue, No.9, Choolaimedu High Road, Chennai 94.



WEB COPY

For Appellant : Mr.S.Mani
for Mr.P.Murugan

For Respondents : Mrs.C.Uma for RR 1 & 2
: Mr.M.R.Jothimanian for RR 3 to 12

J U D G M E N T

(Judgment of the Court was delivered by The Hon'ble Chief Justice)

We have heard the learned counsel for parties.

2.We are unequivocally of the view that while exercising jurisdiction of contempt qua some other aspect, a direction could not have been passed for the lift to continue ad infinitum without obtaining licence for the same. Thus, to that extent, the order would be without jurisdiction.

3.We are, however, informed that post the order, the Administrator has applied for licence and that application is pending before the Electrical Inspector, Chennai South Division, Guindy, Chennai.

4.We, thus, direct the said authority to dispose of that application in accordance with law within a maximum period of fifteen days of the receipt of the order, making it clear that this direction would have no impact on the larger issue pending inter se the parties.

5.Appeal, accordingly, stands disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

sra



To

- 1.The District Registrar of Societies,
Central Chennai No.184,
Bharathi Salai,
Royapettah, Chennai.
- 2.The Member Secretary,
CMDA - Chennai.
- 3.The Assistant Executive Engineer,
Electricity Board,
Kodambakkam, Chennai.
- 4.The IV Assistant Judge,
City Civil Court, Chennai.

+1cc to Mr.S.Suresh Kumar/Administrator/Advocate Commissioner,
High Court, Madras, S.R.No.3400
+1cc to Mr.M.R.Jothimanian, Advocate, S.R.No.1912
+1cc to Mr.S.Mani, Advocate, S.R.No.2027
+1cc to Mr.C.Uma, Advocate, S.R.No.1893

L.P.A.No.8 of 2015

KJI (CO)
CA(28/01/2016)