

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.01.2017

Coram

The Hon'ble Mr. Justice **M.M.SUNDRESH**

Cont. Petition No.2446 of 2015

M.Santhosamani

..

Petitioner

vs.

1.Arumugam,
Secretary,
Pallikaranai Kudiyiruppor Nala Sangam,
No.9, Bharathidasan Street,
Periyar Nagar, Pallikaranai,
Chennai – 100.

2.Ramalingam,
No.9, Bharathidasan Street,
Periyar Nagar, Pallikaranai,
Chennai.

3.A.Sankariah,
Valmiki Street, Periyar Nagar,
Pallikaranai, Chennai – 100.

Respondents

Petition filed under Section 11 of Contempt of Courts Act to issue summon to the respondents for gross disobedience of the orders of this Court dated 19.08.2015 made in M.P.No.1 of 2015 in W.P.No.25783 of 2015.

For Petitioner .. Mr.M.Baskaran

For Respondents .. Mr.Vimal B.Crimson

ORDER

Alleging that the order dated 19.08.2015 passed by this Court in M.P.No.1 of 2015 in W.P.No.25783 of 2015 has been willfully disobeyed, this contempt petition has been filed.

2.Learned counsel appearing for the petitioner submits that the construction has been made after the order passed by this Court. Learned counsel appearing for the respondents denies the said factum and submitted that the construction has been made on 15.08.2015 whereas the order was passed on 19.08.2015.

3.Incidentally, it has been brought to the notice of this Court that a civil suit has been filed in O.S.No.769 of 2015 on the file of the Principal District Munsif, Alandur and an order of injunction has also been obtained on 19.08.2015. Thus it appears that on the very same day, on which the order was passed by this Court, the civil Court has entertained the suit and granted an order of injunction.

4.Considering the facts, this Court is of the view that the disputed facts cannot be gone into in the contempt petition. Accordingly, the contempt petition is closed, giving liberty to the petitioner to work out his remedy in the pending civil suit.

SD/-
JOINT REGISTRAR(OS)

mmi

//Certified to be true copy//

Dated at Madras this the day of 2016.

COURT OFFICER(O.S.)

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SMI/CO/15/02/2017

One CC to Mr.Vimal B Crimson, Advocate, SR.No.782/2017.

सत्यमेव जयते

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