

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.03.2018

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Contempt Petition No.1038 of 2017
in C.R.P(PD).No.446 of 2017

Henry Prem Anand ... Petitioner

Vs.

1.K.Nirmala
2.M.Madhuprakash
3.N.Rajesh
4.D.Venkatesan ... Respondents

PRAYER: Contempt Petition filed under Section 11 of Contempt of Courts Act, 1971 to punish the respondents for wilful violation of the order dated 26.04.2017 passed by this Court in C.R.P(PD).No.446 of 2017.

For Petitioner : Mr.S.S.Rajesh

For R1 : Mr.R.Lakshmi Narasimhan

For R2 : M.M.Madhu Prakash,
Party-in-person

For R3 & R4 : No appearance

Advocate

Commissioner : Mr.C.Senapathi

O R D E R

By the order dated 27.02.2018, Mr.C.Senapathi, Advocate was appointed as Commissioner to inspect the suit property

and file a report suggesting the best way to give water supply to the kitchen and bathroom occupied by the petitioner. The Advocate Commissioner inspected the suit property by giving notice to the parties and considered the suggestions made by the parties. By the report dated 12.03.2018, the Advocate Commissioner gave two options for giving water connection to the Kitchen and bathroom of the portion under petitioner's occupation. Both the petitioner and respondents agreed that pipe line may be laid as per option 1 given by the Advocate Commissioner.

2.This Court by the order dated 22.03.2018, directed the parties to lay the pipe line in the presence of the Advocate Commissioner on 24.03.2018 and report before this Court on 26.03.2018.

3.Today, when the Contempt Petition is taken up for hearing, the Advocate Commissioner filed a report stating that pipe line was laid as per Option 1, as agreed by the petitioner and respondents. The Advocate Commissioner was present in the petition premises from 10.30 a.m to 6.00 p.m on 24.03.2018.

4.The learned counsel for the petitioner submitted that only for about 7 to 8 minutes there is a flow of water in the bore well, which is not even sufficient to fill up 1/4th capacity of the tank.

5.The report is taken on file and Contempt Petition is closed. No costs. It is open to the parties to approach this Court for any further grievance. The petitioner is permitted to use the staircase to go to terrace to clean the water tank once in every month on first Sunday. The petitioner and respondents are directed to pay a sum of Rs.5,000/- each to the Advocate Commissioner as additional remuneration. The learned Judge is directed to dispose of the suit in O.S.No.5448 of 2016 as expeditiously as possible, in any event on or before 31.08.2018.

SD/-
सत्यमेव जयते
ASSISTANT REGISTRAR (O.S.I)
gsa

//Certified to be true copy//

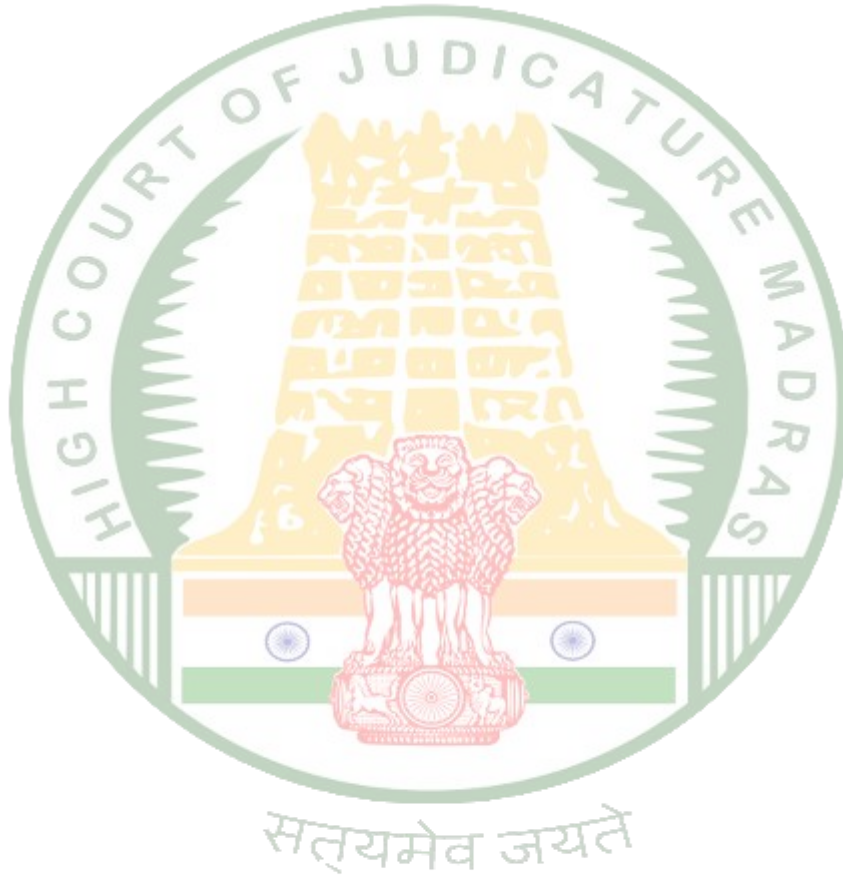
Dated at Madras this the day of 2018.

COURT OFFICER (O.S.)
from 25th day of September 2008 the Registry is issuing Certified copies of the Orders/Judgments/Decrees in this format.

CO/11/04/2018

one cc to R.Lakshmi Narashimnan, Advocate, Sr.No.6974

One cc to Mr.S.S.Rajesh, Advocate, Sr.No.6720.



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