

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

CONTEMPT CASE NO.2207 OF 2014

ORDER:

The order, violation of which is alleged in the present Contempt Case, is the order passed by this Court in WP.No.27503 of 2011 dated 14.10.2011 wherein this Court noted the submission of the learned counsel for the petitioner that, in view of the subsequent action taken both by the first and second respondents, the cause in the Writ Petition does not necessitate any further adjudication as at present. This Court observed that, in the light of the reports submitted by the first and second respondents, their having acted in accordance with Section 17 of Act 33 of 1989, and in as much as they have taken steps to protect the petitioner's rights over the property in question, there was no reason to keep the Writ Petition pending on the file of this Court. Leaving it open to the petitioner, in case he was so aggrieved, to invoke the jurisdiction of this Court, if need be later, the Writ Petition was closed.

The petitioner now alleges that third parties are seeking to interfere with their possession; and no action is being taken by the first and second respondents. The order of this Court, violation of which is alleged in the present Contempt Case, enabled the petitioner to avail their judicial remedies. The jurisdiction of this Court, under the Contempt of Courts Act, can only be invoked if the order of this Court is wilfully and deliberately violated. As no directions were issued to the respondents in this Writ Petition, and the Writ Petition was closed, the said order cannot be said to be

wilfully or deliberately violated necessitating action being taken against the respondents under the Contempt of Courts Act.

The Contempt Case is, accordingly, closed. Miscellaneous applications, if any, pending shall stand closed.

(RAMESH RANGANATHAN, J)

3rd August 2018
RRB

