

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

AND

THE HON'BLE SMT JUSTICE KONGARA VIJAYA LAKSHMI

Contempt Case No.1095 of 2017

ORDER: {Per the Hon'ble the Acting Chief Justice Ramesh Ranganathan}

This contempt case is filed alleging violation of the order passed in W.A.No.1373 of 2012 dated 08.11.2012. The petitioners herein were the appellants in the Writ Appeal wherein a Division Bench of this Court recorded the submission, urged on behalf of respondents 11 and 12 therein, that their title was only with regards the property in Survey No.135/1; the said NOC was confined to the said property; and they were not, in any way, concerned with the property, claimed by the appellants-writ petitioners, in Survey No.135/2.

Alleging violation of the said order, the appellants in W.A.No.1373 of 2012 (petitioners herein) had earlier filed C.C.No.665 of 2017; and a Division Bench of this Court, by its order dated 10.04.2017, had dismissed the Contempt Case. A second Contempt Case, by the very same petitioners alleging violation of the very same order passed in W.A.No.1373 of 2012 dated 08.11.2012, is not maintainable. On this short ground alone, the Contempt Case is liable to be dismissed.

While Sri P.Venugopal, learned Senior Counsel appearing on behalf of the petitioners, would request this Court to grant liberty to the petitioners to avail their other legal remedies, no such liberty need be granted since the jurisdiction, which this Court exercises under the Contempt of Courts Act, is limited in its scope, and the enquiry thereunder is restricted to whether the respondents have violated the order of this Court, whether such violation is wilful and deliberate, and, if so, the nature and extent of punishment to be imposed for such violation.

As a second contempt case, for violation of the very same order, does not lie, the Contempt Case is dismissed. Miscellaneous petitions pending, if any, shall also stand dismissed. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

(KONGARA VIJAYA LAKSHMI, J)

13th April, 2018
JSU



**THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE SMT JUSTICE KONGARA VIJAYA LAKSHMI**



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Date: 13.04.2018

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