

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.04.2019

CORAM

THE HONOURABLE MR. **JUSTICE M.SATHYANARAYANAN**

Contempt Petition No.1557 of 2015
& Sub Application Nos.144 & 146 of 2017

Rama Chockalingam,
 S/o.Late M.Ramasamy,
 No.78, 4th Street,
 Ganesh Avenue,
 Sakthi Nagar,
 Porur,
 Chennai-116.

... Petitioner

vs.

T.N.Sasi

... Respondent

Contempt petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondents for willful and deliberate disobedience of the order of this Court dated 28.10.2014 made in C.R.P.(NPD) No.2297 of 2012.

For Petitioner : Mr.R.Munuswamy
 For Respondents : Mr.R.Gopinath

ORDER

Perused the affidavit and additional affidavit filed by the petitioner. Learned counsel for the petitioner would submit that though the order of revision came to be confirmed and that the tenant also made a claim that he has vacated the premises as early as on 30.04.2015, he is yet to hand over the keys of the premises and therefore, the petitioner is constrained to file this contempt petition.

2. The respondent / contemnor is also present before this Court. Learned counsel for the respondent, on instructions, would submit that the respondent / contemnor has sent a communication dated 24.06.2015 to the petitioner / landlord, informing that he had vacated the premises on 30.04.2015 and since he is out of station, he has handed over the keys to the advocate and requested him to come over to the premises for receiving the keys and give proper acknowledgement, and further indicated that the portion under his occupation is now kept vacant and also the consumption charges has fully been paid. It is also brought to the notice of this Court by the learned counsel for the respondent / contemnor that the respondent, after vacating the premises in question, had shifted his residence to Door No.D4/9, TNHB Quarters, Puliyur, South Sivan Kovil Street, Kodambakkam, Chennai 600 024, and has also produced the photocopy of the lease agreement, which is taken on file and records.

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3. The learned counsel for the respondent / contemnor submits that he has no objection for the landlord occupying the premises. The said submission, on instructions from the respondent, who is present before this court, is recorded. In the light of the same, it is open to the petitioner / landlord to go and occupy the premises bearing Door No. D4/10, TNHB Quarters, Puliyur, South Sivan Kovil

Street, Kodambakkam, Chennai 600 024, forthwith and with the above observation, the contempt petition is closed. Consequently, connected miscellaneous applications are closed.

SD/-
Assistant Registrar (Comm. Cases)
KST

//Certified to be true copy//

Dated at Madras this the day of 2019.

COURT OFFICER(O.S.)

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SD/17/05/2019

The seal of the High Court of Madras is a circular emblem. It features a central golden temple gopuram (tower) with a red lion capital on top. Below the lion capital is a red wheel (Chakras) and a red lotus. The entire emblem is set against a background of horizontal stripes in orange, white, and green. The words "HIGH COURT OF JUDICATURE MADRAS" are written in a circular border around the emblem. Below the emblem, the Sanskrit motto "सत्यमेव जयते" (Satyameva Jayate) is written in Devanagari script.

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