

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2019

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

Contempt Petition No.2059 of 2016

Muniappan
S/o.Manthiri Gounder

... Petitioner

Vs.

P.Baskaran
S/o.Late Pachaiyappa Gounder

... Respondent

Contempt Petition filed u/s.11 of Contempt of Courts Act, 1971, praying to punish the respondent herein for willful disobedience of the order dated 27.01.2016 in Cr1.R.C.No.553 of 2011.

For Petitioner : Mr.G.Mohammed Aseef

For Respondent : Mr.N.R.Elango, senior counsel
for Mr.C.MUnusamy

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ORDER

This Contempt Petition has been filed to punish the respondent herein for willful disobedience of the order of this Court passed in Cr1.R.C.No.553 of 2011 dated 27.01.2016.

2. Heard learned counsel for petitioner and learned senior counsel for respondent.

3. This Court, under orders dated 15.11.2018, directed as follows:

'Petitioner is directed to take out notice to the tenants of the respondent. Learned counsel for respondent shall inform the particulars of such tenants. Service may also be effected through counsel for such tenants before rent controller.'

4. The purpose of passing the above order is towards ensuring that the Rent Control Proceedings which are informed to be standing in the way of complying with our dated 27.01.2016 be got out of the way at the earliest. Learned counsel had taken out private notice to parties. As this Court cannot presume that actions of tenants are at the behest of alleged contemner/respondent towards avoiding compliance with the order of this Court, this Court is of the view that the present petition seeking punishment in contempt may be closed.

5. In passing the above order, we take note of the order of the Honourable Supreme Court in Appeal (Crl.)Nos.2097-2100 of 2016 dated 18.03.2016, which informs thus:

'No order is necessary in these petitions.

<https://hcservices.ecourts.gov.in/hcservices/>

The Special Leave Petitions are dismissed.

However, if any variation is required by the

petitioner, he shall be at liberty to place before the Civil Court. We direct the Civil Court to dispose of the suit in question within a period of six months from today.

Pending applications, if any, stand disposed of.'

The Contempt Petition shall stand closed.

gm

SD/-
ASSISTANT REGISTRAR (COMM.CASES)

//Certified to be true copy//

Dated at Madras this the day of 2019.

COURT OFFICER (O.S.)

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PS/21/02/2019

सत्यमेव जयते

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