

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.07.2019

CORAM

THE HON'BLE MR.JUSTICE R.MAHADEVAN

Contempt Petition No.607 of 2018

S.Palanisamy

... Petitioner

-vs-

1. M.Palanisamy

2. P.Samathal

3. Vennila

4. Dhanalakshmi

5. Prema

6. R.Dharmalingam

7. Chinnamani @ Palanisamy

* Respondents 1 to 7 are residing at S.F.No.451/1,
Sevvarugan Thottam,
Sakthi Mosaics,
Pongia Gounden Pudur,
Naranapuram Village,
Palladam,
Tirupur Taluk.

8. P.Ruckmini,

W.o.Paramasivam,

D/o.Ramiah Gounder,

Kuthu Kalliang Kadu,

Pongia Gounden Pudur,

Naranapuram Village,

Palladam,

Tirupur Taluk.

9. S.Dhandapani,

S/o.Late Subbiah Gounder,

Andi Thottam,

Bagavathi Complex,

Karanampettai,

Sulur, Coimbatore.

10. K.Subbarayan

Advocate,

T.M.F. Hospital Back Side,

Uthukuli Road,

Tiruppur - 1.

(R2 to R10 are impleaded as per the order of this Court in Sub. Appln.No.53 of 2018 dated 15.02.2018)

... Respondents

Petition filed under Section 11 of the Contempts of Court Act, 1971, to punish the respondents herein for wilful disobedience of the order dated 19.01.2017 in Cr1.O.P.No.9585 of 2016.

For Petitioner :: Mr.Haja Nazirudeen,
Senior Counsel
for M/s.K.S.Karthik Raja

For R1 :: M/s.Ajmal Associates

ORDER

This Court, vide order dated 19.01.2017, disposed of the Criminal Original Petition bearing No.9585 of 2016, recording the submission made by the learned Additional Public Prosecutor to the effect that both the parties have compromised between each other and they have no objection for surveying and measuring the cart track, which is the subject matter of the suit in O.S.No.157 of 2007, on the file of the Sub Court, Tirupur. Before completion of the survey as stated in the aforesaid order, the present Contempt Petition came to be filed.

2.Now, the first respondent herein has filed a counter affidavit, wherein, at paragraph No.11, it has been stated as follows:

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

"I respectfully state that I am accepting

the Decree and Judgement passed by the Hon'ble Subordinate Court, Tiruppur in O.S.No.157 of 2007 dated 22.07.2015. Further, I am also prepared to co-operate with the survey of the Cart track. The Southern edge has to be measured from the fence of land in Southern side Survey No.473 and the width of the Cart track is 4 meters = 13 feet. The survey has to be done by measuring by fixing the Southern edge from the fence put up by the owner of the lands in survey no.473."

3.The aforesaid statement has not been disputed by the learned counsel for the petitioner.

4.In view of the above, the Contempt Petition stands closed, with a direction to the concerned authorities to complete the survey with regard to measurement of cart track and serve a copy of the same to the parties concerned.

SD/-

ASSISTANT REGISTRAR (COMM.CASES)

av/rk

//Certified to be true copy//

Dated at Madras this the day of 2019.

COURT OFFICER (O.S.)

from 25th day of September 2008 the Registry is issuing Certified copies of the Orders/Judgments/Decrees in this format.

Smi/10/09/2019

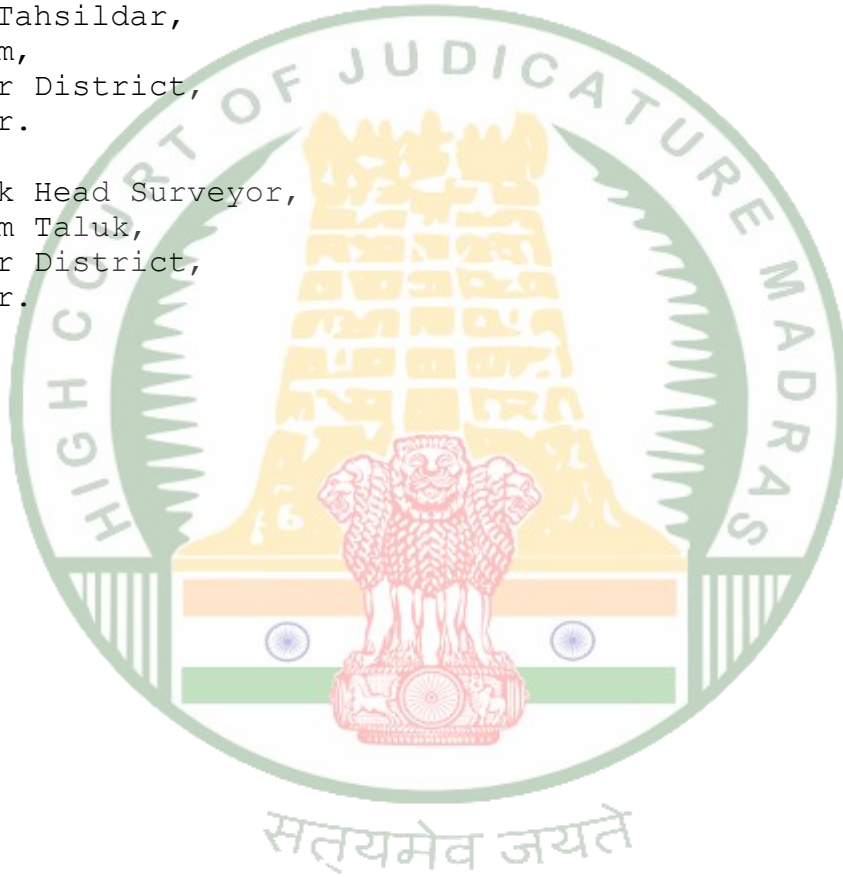
To

1. Superintendent of Police,
Tirupur District,
Tirupur.

2. Inspector of Police,
Palladam Police Station,
Palladam, Tirupur.

3. The Tahsildar,
Palladam,
Tiruppur District,
Tiruppur.

4. Taluk Head Surveyor,
Palladam Taluk,
Tiruppur District,
Tiruppur.



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