

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.01.2019

CORAM:

THE HON'BLE MR. JUSTICE P.N. PRAKASH

Cont. Petition No.2470 of 2018

Uma Maheswari

Petitioner

vs.

1 R. Ramesh

2 P. Rajendran

3 Shanthi

Respondents

Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, seeking to punish the respondents for their wilful disobedience of the order dated 04.04.2018 passed by this Court in Crl.O.P. No.10608 of 2018.

For petitioner
For RR 1 & 3

Mr. G. Rajan – Did not appear
Mrs. P. Kavitha

ORDER

There was no representation for the petitioner on 19.12.2018, 08.01.2019 and 22.01.2019. Hence, the matter was directed to be listed today under the caption "for dismissal". Accordingly, this matter has been listed today under the caption "for dismissal". Yet, there is no representation for the petitioner even today. It is reported that P.Rajendran, the second respondent, died on 02.11.2018. Mrs. P. Kavitha has entered appearance for respondents 1 and 3.

2 This contempt petition has been preferred alleging that the respondents have not complied with the order dated 04.04.2018 passed by this Court in Crl.O.P. No.10608 of 2018.

3 In Crl.O.P. No.10608 of 2018, by order dated 04.04.2018, this Court had issued the following directions:

"Without prejudice to their case, the petitioners shall deposit Rs.15,000/- (Rupees fifteen thousand only) per month to the credit of D.V.C. No.29 of 2017 on the file of the learned Judicial Magistrate No.II, Puducherry on or before 5th of every English calendar month. On such deposit, Uma Maheswari is entitled to withdraw the same."

4 The first respondent has filed counter affidavit dated 18.01.2019, wherein, at paragraph no.4, he has stated as follows:

"4. The first respondent submits that as per the order of this Hon'ble Court, the 1st respondent has been depositing Rs.15,000/- (Rupees fifteen thousand only) per month on the credit of D.V.C. No.29 of 2017 on the file of the learned Judicial Magistrate No.II, Puducherry till the month of November 2018, the 1st respondent had executed the bond for Rs.5000/- along with the affidavit of undertaking that he will not dispute his identity."

In support of the aforesaid stand, photocopies of the payment receipts have been filed as typed set of papers.

5 On perusal of the photocopies of the receipts, it is seen that the respondents have paid Rs.15,000/- per month till November 2018.

6 The learned counsel for the respondents 1 and 3 submitted that the respondents 1 and 3 will continue to remit the amount as directed by this Court until further orders are passed by the Judicial Magistrate No.II, Puducherry in D.V.C. No.29 of 2017.

Recording the aforesaid submission of the learned counsel for respondents 1 and 3, this contempt petition stands closed.

SD/-
ASSISTANT REGISTRAR (COMM.CASES)
cad
//Certified to be true copy//

Dated at Madras this the day of 2019.

COURT OFFICER (O.S.)

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PS/14/02/2019

To

The Judicial Magistrate No.II,
Puducherry.

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