



WEB COPY

Cont.P.No.719 of 2010

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2021

CORAM

THE HONOURABLE MR.JUSTICE **C.SARAVANAN**

Cont.P.No.719 of 2010

1.Munusamy
2.V.Munusamy
3.T.Ponnusamy
4.M.S.Michael Das
(Rep by their Treasurer
K.Munusamy, Task Force Union,
No.9, Tulikanam Road, Varadarajapuram,
Chennai – 600 002. (now disbanded))

... Petitioners

Vs

S.Abeeth Hussain,
The Tashildar,
Mylapore -Triplicane Circle Taluk,
Chennai – 600 028.

... Respondent

Prayer: Petition filed under Section 11 of Contempt of Courts Act, to punish the respondent for committing contempt of Courts by disobeying the order dated 06.08.2009 in W.P.No.15498 of 2001.

For Petitioners : No appearance

For Respondent : Mr.M.Elumalai
Additional Government Pleader
(for R1 & R3)
R2 No appearance

ORDER

By an order dated 06.08.2009 in W.P.No.15498 of 2001, the 3rd

respondent Tashildar, Mylapore, Triplicane was directed to implement order



dated 30.09.1999 in C.P.No.12 of 1991 within a period of eight weeks. It appears that independently the second Respondent therein C.M.W.S.S.B had also filed W.P.No.995 of 2002. The said Writ Petition was came dismissed by an order dated 27.08.2009 for want of prosecution.

2.The learned counsel for the respondent submits that the amount has been recovered from Chennai Metropolitan Water Supply Board. The cheque was forwarded by Chennai Metropolitan Water Supply and Sewerage Board vide letter dated 19.11.2010 with a request not to disburse the amount to the petitioner herein and others till the final order were passed in W.P.No.995 of 2002. The present contempt petition has been filed for punishing the respondent for committing Contempt of Courts for disobeying order dated 06.08.2009 in W.P.No.15498 of 2001. As per the order dated 06.08.2009 in W.P.No.15498 of 2001, the respondent was merely directed to implement the order dated 30.09.1999 in C.P.No.12/1991 within a period of eight weeks from the date of receipt of a copy of this order. Pendency of W.P.No.995 of 2002, acted as an impediment from paying the amounts to the petitioner. However, the writ petition has been dismissed on 27.08.2009. Therefore, the contemnor respondent herein is directed to pay the amount to the petitioner in terms of the order dated 06.08.2009 together with interest



accrued thereon from the date of receipt of the aforesaid amount till the date of actual payment to the petitioner within a period of six weeks from the date of receipt of a copy of this order. This order shall be complied without any deviation.

3.In view of the same, this contempt petition stands closed with liberty to approach the Court.

SD/-
ASSISTANT REGISTRAR(COMM.CASES)

kp

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)
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GS/15/06/2021

Notes:-In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To
The Tashildar,
Mylapore -Triplicane Circle Taluk,
Chennai – 600 028.