



Cont.P.No.743 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 17.02.2021

CORAM

THE HONOURABLE MR. JUSTICE S.S.SUNDAR

Contempt Petition.No.743 of 2013

M/s.SNP Ventures Private Limited,
Rep, by its General Manager C.P.Subash,
Door No.4, Shanthi Street,
Dr.Seethapathy Nagar,
Velachery, Chennai-600 042

.. Petitioner

Vs.

- 1.Vidya Manohar Chhabria
Director, GWL Properties Ltd.,
- 2.Komal Chhabria Wazir,
Director, GWL Properties Ltd.,
- 3.Ravindra Keshav Raje,
Director, GWL Properties Ltd.,
- 4.Pratap Dange,
Group Legal Head,
GWL Properties Ltd.m
- 5.Rugwed Katu
Law officer, GWL Properties ltd.,
- 6.A.V.L.Ram Prasad Varma
Law officer, GWL Properties Ltd.,
- 7.E.Sathishkumar
Law Officer,
GWL Properties Ltd.,



8.Mr.Shanmugasundaram,
Manager, GWL Properties Ltd.,

Respondents 1 to 8 at Registered Office of
GWL Properties Limited, at,
No.36, Rajaji Salai,
Chennai-600 001.

.. Respondents

Prayer:Contempt petitions filed under section 11 of the Contempt of Courts Act to punish the respondents for having willful disobedience of the final order dated 15.06.2012 of this Court made in W.P.No.10859 of 2011.

For Petitioner : Mr.A.Thayaparan

For Respondent : No appearance

ORDER

The respondents in the contempt petition are the functionaries of M/s. GWL Properties Ltd., who had filed a writ petition in W.P. No.10859/2011 for issuing a Writ of Certiorari, to call for the records pertaining to the order in the proceedings made in Lr.K4/9711/2011 dated 19.04.2011 passed by the first respondent therein and quash the same.

2.This Court by order dated 15.06.2012 disposed of the writ petition in W.P.No.10859/2011, in the following lines :

"Therefore, the prayer in the writ petition cannot be granted. However, a direction is issued to the Civil Court to call upon both the parties to adduce evidence and to dispose of the suit within a period of four months from the date of receipt of a copy of this order. Since the



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Tahsildar ought to have relegated the parties to the Civil Court without passing the order dated 05.10.2007, all orders of the revenue authorities issued on and after 05.10.2007, all orders of the revenue authorities issued on and after 05.10.2007 shall not be taken into account by the Civil Court. Since there is a dispute with regard to the two documents of the year 1922 and chitta and adangal allegedly issued on 12.12.1961 and also since there is already an order passed in the Civil Suit in O.S.No.188 of 2020 on the file of the Sub-Court, Tambaram, to produce the documents of the year 1922, the petitioner shall produce those documents before the trial Court. It will be open to the fifth respondent to raise all the contentions raised here with regard to the alleged fabrication and forgery of documents and to seek appropriate remedy in accordance with law. The writ petition is dismissed with the above observation. No Costs. In respect of documents which came into existence prior to 05.10.2007, it is open to the contesting respondents to challenge their truth and validity."

3.This contempt petition is filed alleging wilful disobedience of the order passed in W.P.No.10859/2011 dated 15.06.2012.

4.The learned counsel for the petitioner submitted that as per the direction of this Court, the respondents have not produced the documents of the year 1922 before the trial Court.

5. The direction of this Court in the writ petitioner is by way of giving liberty to the respondents to produce documents before the Civil Court to prove his claim based on such documents. Production of documents before

Civil Court is not the subject matter of the writ petition. If respondents do



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not produce any documents, the petitioner can take advantage of that to succeed in the civil suit.

6.Considering the facts and circumstances of this case, this Court does not find any disobedience, much less wilful disobedience, of the order passed in W.P.No.10859/2011 dated 15.06.2012. Accordingly, this contempt petition is closes. No Costs.

SD/-
ASSISTANT REGISTRAR(COMM.CASES)

tta

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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GS/11/08/2021