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Cont.P.No.92 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2022

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Contempt Petition No.92 of 2019

and

Sub.Appl.No.60 of 2019

S.Ravirathinam,
No.3/545, East Coast Road,
Neelangarai, Chennai 115

... Petitioner

-Vs-

1.A.R.Suresh
2.Jayalakshmi Ganesan
3.S.Ganapathy
4.R.Murali

... Respondents

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Courts Act 1971, praying to punish the respondents for violating this Court order in C.M.P.No.17904 of 2018 in C.R.P.PD.No.3100 of 2018 dated 11.10.2018.

For Petitioner : Mr.K.M.Vijayan, Senior Counsel
for Ms.R.T.Shyamala

For Respondents : Mr.MV.Thangasivan

ORDER

This contempt petition has been filed to punish the respondents for willfully disobeying the order of this Court dated 11.10.2018 passed in

C.M.P.No.17904 of 2018 in C.R.P.No.3100 of 2018.



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2. In the miscellaneous application filed with a prayer seeking for grant of an order of interim injunction restraining the respondents from interfering with the peaceful possession and enjoyment of the suit property, this Court, in its order dated 11.10.2018, had directed all the parties to maintain status quo on the suit property.

3. The present contempt petition alleges that after the grant of status quo, the respondents herein had initiated steps on a criminal complaint and the petitioner herein came to be arrested in connection with the criminal case and therefore, seek for punishing them for violation of the order of status quo.

4. I am not in agreement with the grounds on which the disobedience of the order of this Court has been raised. When I had earlier passed orders on 11.10.2018, a direction was issued to the parties to maintain the status of the suit property in the same condition as it stood on the date of the order. The order had nothing to do with the pending criminal complaints against the parties. If at all the petitioner was of the view that his arrest was illegal, the remedy available to him would be to invoke the provisions under the Criminal Procedure Code to ventilate his grievances. However, by no stretch of imagination, can an arrest, based on a criminal complaint, could



Cont.P.No.92 of 2019

be said to be a disobedience of an order of status quo, which is in connection with the rival party's claim of possession of an immovable property. Hence, the disobedience alleged against the respondents has not been established.

5. Accordingly, the Contempt Petition stands dismissed. Consequently, the connected Sub Application is closed.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

hvk

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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BD/07/06/2022