



WEB COPY



Cont.P.No.838 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2022

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THE HONOURABLE MR. JUSTICE S.S.SUNDAR

Cont.P.No.838 of 2022

T.Masthanamma

...Petitioner

-Vs-

Kulasekar Kumar

...Respondent

Prayer:- Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondent for non-compliance of the order passed by this Court in C.R.P(N.P.D.)Nos.3892 & 3893 of 2019 dated 03.01.2022.

For Petitioner : Mr.G.Suriya

For Respondent : Mr.R.Siva
for K.J.Parthasarathy

ORDER

This contempt petition is filed alleging wilful disobedience of the order passed by this Court in C.R.P(N.P.D.)Nos.3892 & 3893 of 2019 dated 03.01.2022.



Cont.P.No.838 of 2022

2.The learned counsel appearing for the respondent has submitted a letter dated 30.10.2022 which is addressed to the petitioner in this contempt petition namely the land lady who is the owner of the premises. The respondent states that he has handed over the vacant possession to the petitioner on 30.10.2022 as agreed and as per settlement between the parties. Further it is stated by the respondent that there won't be any claim by him against the petitioner and vice-versa in respect of fair rent and that parties will withdraw the cases filed by them in this regard before the Hon'ble Supreme Court and the Rent Control Court.

3.In the letter dated 30.10.2022 addressed to the petitioner it is stated as follows:

“I am hereby handing over the vacant possession of the shop No.2, Door No.44/2, New No.38/2, Venkatanarayana road, T.Nagar, Chennai – 17 to you on 30.10.2022, (7 PM). Hereafter I or my family or my well-wishers or my legal heirs or my business partners or finical partners or any of my loan related persons will not have any right or claim against you in connection with the said tenancy.

As we both mutually settled and there won't be any claim against each other. In respect of the fare rent, Eviction proceedings and contempt proceedings pending before the competent courts.

Both parties will withdraw all cases before Supreme Court and Rent Control Court.”



Cont.P.No.838 of 2022

4.The learned counsel appearing for the petitioner acknowledges the receipt of letter dated 30.10.2022 stating that parties have mutually settled their dispute and further states that they have no objection to withdraw the proceedings which are pending before the Rent Control Court.

5.Recording the fact that the contemnor has handed over the demised premises to the petitioner upon the petitioner relinquishing her claim and the petitioner is not inclined to persuade this contempt further, this Court is of the view that the contempt petition is liable to be closed.

6.Accordingly, this Contempt Petition is closed. No costs.

02.11.2022

cda

S.S.SUNDAR. J.,

cda



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