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Contempt Petition No.2375 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.12.2022

Coram

**THE HONOURABLE MR. JUSTICE P.N.PRAKASH
and
THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH**

Contempt Petition No.2375 of 2022

Bama Balaji
W/o.Balaji

... Petitioner

Vs.

1.V.Shanmugam
S/o.M.Venkatasamy

2.S.Tamil Mani
W/o.V.Shanmugam

... Respondents

Contempt Petition filed under Section 10 of the Contempt of the Courts Act, 1971, praying to punish the respondents for the willful disobedience of the decree dated 12.07.2021 passed in O.S.No.11/2016 passed by the Principal Subordinate Judge, Krishnagiri.

For Petitioner : Mr.Shangar Murali

For Respondents : Mr.T.Jayaraman



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ORDER

[Made by **P.N.PRAKASH, J.**]

This Contempt Petition has been filed alleging violation of the decree dated 12.07.2021 passed in O.S.No.11/2016 on the file of the learned Principal Subordinate Judge, Krishnagiri.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondents.

3. In our considered opinion, the petitioner has an efficacious remedy under Order 21 Rule 32 of the Code of Civil Procedure, wherein, the disputed questions of fact can also be gone into by adducing evidence. Hence, we are not inclined to entertain this Contempt Petition.

Accordingly, this Contempt Petition is closed with liberty to approach the Executing Court.

[PNP, J.] [NAV, J.]
15.12.2022

Index: Yes/No
gm

P.N.PRAKASH, J.



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N.ANAND VENKATESH, J.

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