



Cont.P.(MD).No.755 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.12.2022

CORAM:

THE HONOURABLE **MR.JUSTICE M.DHANDAPANI**

Cont.P.(MD).No.755 of 2021

Lailithul Kathiria

... Petitioner /Petitioner

Vs.

Mr.Chellasamy
The Sub Inspector of Police,
Valinokkam Police Station,
Ramanathapuram District.

... Contemnor/1st Respondent

Prayer: Contempt Petition is filed under Section 11 of Contempt of Courts Act, to punish the respondent herein for committing grave contempt and willful disobedience in CrI.O.P(MD)No.4810 of 2020, dated 18.03.2020.

For Petitioner : Mr.J.M.Hassanul Bazari

For Respondent : Mr.M.Sakthikumar
Government Advocate



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ORDER

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For non-compliance of the order of this Court, dated 18.03.2020 passed in Crl.O.P(MD)No.4810 of 2020, this Contempt Petition is filed.

2. The petitioner has already filed a Criminal Original Petition in Crl.O.P.(MD)No.4810 of 2020 to provide protection while erecting the fencing in Natham Survey No.79/1 to an extent of 2430 sq.ft., situated in Keelakidaram Village, Ramanathapuram District, pursuant to which, this Court has granted liberty to the petitioner to file an appropriate Execution Petition before the trial Court. Already, the very same petitioner has filed a suit in O.S.No.260 of 1998 on the file of the District Munisf Court, Paramakudi and the said suit was decreed in his favour on 05.02.1993. Subsequently, the second respondent had filed an appeal suit in A.S.No.38 of 1993 on the file of the learned District Judge, Ramanathapuram and the same was dismissed on 31.08.1994. As against the judgment and decree in A.S.No.38 of 1993, the second respondent had filed a Second Appeal in S.A.No.749 of 1996 and the said appeal was dismissed for non-prosecution on 02.08.2011.



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3. The learned counsel appearing for the petitioner would submit that this Court may grant permission to the petitioner to file an appropriate Execution Petition before the trial Court within a period of two weeks.

4. Accordingly, this Contempt Petition is closed and liberty is granted to the petitioner to file an appropriate Execution Petition before the trial Court within a period of two weeks from the date of receipt of a copy of this order. If any such petition is filed, the trial Court is directed to pass appropriate orders on merits and in accordance with law within a period of twelve weeks thereafter.

16.12.2022

Index:Yes/No
Internet:Yes/No
vsd/vji



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M.DHANDAPANI, J.

vsd/vji

To

- 1.Mr.Chellasamy
The Sub Inspector of Police,
Valinokkam Police Station,
Ramanathapuram District.
- 2.The District Munisf Court,
Paramakudi.

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