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CONT.P.(MD)NO.1031 OF 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.08.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CONT.P.(MD)No.1031 of 2022 in
CRL.O.P.(MD)No.13173 of 2021

Krishnan

... Petitioner

Vs.

1. Hemavathy

2. The Regional Transport Officer,
Chennai (South-West),
Chennai.

(R-2 is suo motu implead by designation
vide order dated 22.08.2022)

... Respondents

Prayer: Contempt petition is filed under Section 11 of the Contempt of Courts Act 1971, to punish the contemnor for her deliberate and willful act of committing contempt of Court by wantonly disobedience of the order of this Court made in Crl.O.P.(MD). No. 13173 of 2021 dated 20.12.2021.

For Petitioner : Mr.A.Prasanna Rajadurai

For R-1 : Mr.P.Ganapathi Subramanian

For R-2 : Mr.K.Balasubramani,
Special Government Pleader.

* * *

**ORDER**

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Heard the learned counsel on either side.

2. The contemnor herein filed Crl.O.P.(MD)No.13173 of 2021 before this Court. The said petition was disposed of based on the joint compromise memo dated 20.12.2021 filed by the parties. It was also taken on record. As per the said memo of compromise, the petitioner herein, namely, Krishnan paid a sum of Rs.15,00,000/- to the contemnor herein. Clauses 2 and 3 of the said compromise memo reads as follows:-

“2. The petitioner and the third respondent settled the issue amicably and the petitioner received a sum of Rs.15,00,000/- (Rupees Fifteen Lakhs only) by way of Demand Draft in DD No.866835343 for Rs.8,00,000/- (Rupees Eight Lakhs only) and DD No.866835336 Rs.7,00,000/- (Rupees Seven Lakhs only) drawn at Indian Overseas Bank, Batlagundu for all the three lorries bearing registration No.TN 88 D 8066, TN 25 BM 4533 and TN 25 BM 1436 and she will not claim any right or title in the above said three lorries.



3. The petitioner further submits that she will

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execute necessary forms and documents to transfer the ownership of lorry as instructed by the third respondent. "

3. It appears that when the petitioner herein moved the Regional Transport Officer, Chennai (South-West) for entering his name, the contemnor declined to co-operate. That led to the filing of this contempt petition. Following the issuance of notice, the contemnor/ first respondent appeared in person and her counsel is also present before this Court. The contemnor informed the Court that she has no objection for entering the name of the petitioner in the relevant R.C.book. She undertook to execute the requisite forms and forward the same to the impleaded respondent / Regional Transport Officer, Chennai(South-West).

4. The Regional Transport Officer shall not insist on the personal appearance of the contemnor/ first respondent before him. Based on the order now passed in the writ petition, the Regional Transport Officer, Chennai (South-



West), shall make requisite changes in the R.C.book in favour of the petitioner herein. The impleaded respondent shall issue duplicate R.C.books in favour of the writ petitioner for all the lorries bearing Nos.TN 88 D 8066, TN 25 BM 4533 and TN 25 BM 1436. With this direction, this contempt petition is closed.

22.08.2022

Index : Yes / No

Internet : Yes/ No

PMU

To:

The Regional Transport Officer,
Chennai (South-West),
Chennai.



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G.R.SWAMINATHAN,J.

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CRL.O.P.(MD)No.13173 of 2021

22.08.2022