



Contempt Petition No.2236 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 21.04.2023

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THE HONOURABLE Mr.JUSTICE M.S.RAMESH

Contempt Petition No.2236 of 2022

The Tamil Nadu Housing Board
Rep. by the Executive Engineer & Administrative Officer
Tamil Nadu Housing Board
Thanjavur Housing Unit
New Housing Unit Colony
Thanjavur 613 005

... Petitioner

Vs

P.Selvarani

... Respondent

Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, to punish the respondents for non-compliance of the order for willfully and wantonly disobeyed the order passed in W.P.No.19611 of 2010 dated 05.12.2019.

For Petitioner : Mr.D.Veerasekaran

For Respondents : Mr.D.Prabhu
Standing Counsel

ORDER

This petition has been filed alleging that the order of this Court dated 05.12.2019 passed in W.P.No.19611 of 2010 has not been complied with.



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2. At the instance of the respondent herein, this Court, by its order dated 05.12.2019 in W.P.No.19611 of 2010, had directed the Tamil Nadu Housing Board to refund the sale consideration to the respondent herein, paid under two sale deeds registered as document Nos.2431/2007 and 2432/2007, together with interest at the rate of 6% p.a. with condition that the respondent herein shall cooperate with the Tamil Nadu Housing Board, for cancellation of the said two sale deeds standing in her name.

3. The above direction was given only to the Tamil Nadu Housing Board, for compliance. Merely because it is alleged that the respondent herein had not cooperated for cancellation of sale deeds, it would not be open for the Tamil Nadu Housing Board to claim that there was a disobedience of the direction which was given to them. At the most, this can be a reason to be assigned, for non-compliance of the order. Since the order was directed only against the Tamil Nadu Housing Board, filing of a contempt petition by the Board is impermissible.

With the above observation, this Contempt Petition stands dismissed.

21.04.2023

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M.S.RAMESH, J.

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