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A.No.5602 of 2023
in
C.S.No.155 of 2022

N.SATHISH KUMAR.J.,

This application has been filed by the applicant to punish the respondents for their wilful disobedience and violation of the common order dated 07.06.2023 passed by this court in O.A.No.452 of 2022 and O.A.No.453 of 2022 in C.S.No.155 of 2022.

2. Heard both sides.

3. It is the contention of the learned counsel for the applicant that despite the interim order of this court restraining the respondents from demolishing or reconstructing the buildings or selling or conveying or encumbering the suit schedule mentioned properties to any third-party pending disposal of the suit, the respondents have made alterations and put up new constructions and tenants are also being inducted.

4. The learned counsel for the respondents on the other hand contended that no new constructions have been made as alleged by the applicant and the constructions pointed out by the applicant are already in existence and the photographs produced by the applicant would show that except plastering work

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no additional work has been carried out. Insofar as tenancy is concerned, the learned counsel for the respondents submitted that only in the ground floor tenants who were already in possession prior to the demolition work have been again given possession and no new tenants have been inducted in the construction portions and no encumbrance was made as alleged by the applicant.

Considering the submissions made on either side and upon perusing the materials placed before this court, this court does not even find any prima facie case to punish the respondents. Hence, this application is dismissed.

20..10..2023

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