



Cont.P.(MD) No.445 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 29.03.2023

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

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Jagadeesh

... Petitioner

-vs-

1.Jayachitra

2.Prina Nancy

3.Prina Lincy

... Respondents

PRAYER: Contempt Petition is filed under Sections 10 & 11 of the Contempt of Courts Act, 1971 praying to punish the respondents for the willful disobedience of the order, dated 26.08.2019 in O.S.No.331 of 2015, on the file of the Principal District Munsif, Manapparai.

For Petitioner : Mr.B.Prasanna Vinoth

ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

The contempt complained of is violation of the decree for permanent injunction granted by the Court of Principal District Munsif, Manapparai.



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2. Though this Court has got a power to punish the people for committing contempt of the lower Courts, that power cannot be used to redress the grievance of the petitioner, which is disobedience of the decree for permanent injunction. There are enough and more provisions under Order XXI of the Code of Civil Procedure, 1908, which cater to the situation. Hence, we do not think that this contempt petition should be entertained. The contempt petition is, therefore, rejected. If the petitioner chooses to launch any proceedings before the Civil Court under the relevant provisions of the Code, the Civil Court shall deal with them, without being influenced by any of the observations made in this order.

[R.S.M., J.]

[L.V.G., J.]

29.03.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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To:
The Principal District Munsif,
Manapparai.



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