



CONT.P.(MD)No.1361 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CONT.P.(MD)No.1361 of 2023

in

CRP(MD) No.1185 of 2022

A.Balakrishnan

... Petitioner

Vs

L.Mohandass

...Contemnor/Respondent

PRAYER: Contempt Petition filed under Section 10 of the Contempt of Courts Act, praying this Court to initiate contempt proceedings against the Contemnor / Respondent and punish them for the willful disobedience of the order of this Court in CRP(MD) No.1185 of 2022 dated 25.08.2022.

For Petitioner

:Mr.A.Mohan

For Respondent

:Mr.P.Muthu Vijaya Pandian

ORDER

This contempt petition is filed by the petitioner/landlord that the orders of this Court passed in CRP(MD) No.1185 of 2022, dated 25.08.2022 has not been complied with by the



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respondent/tenant, wherein, this Court directed the respondent to vacate the premises on or before 25.04.2023, as per the undertaking affidavit filed by him before this Court.

2. When this contempt petition was taken up for hearing on 21.07.2023 notice was ordered to the respondent. In response to the contempt petition on 11.08.2023, the respondent has taken a stand that he has filed an application seeking extension of time to comply with the order dated 25.08.2022. However, it appears that the said application filed by the respondent was subsequently withdrawn.

3. While disposing the Civil Revision Petition in CRP(MD) No.1185 of 2022, the petitioner has filed an affidavit of undertaking that he will vacate the premises within the time stipulated by this Court and obtained an order and has continued with the lease even after the time fixed by this Court to vacate the premises and hand over the possession to the landlord. Thereafter, by filing an affidavit of undertaking before this Court, he gained



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another eight months time and the period for which, the time has been extended is over in the month of April 2023. Even thereafter, he has not vacated the premises. Therefore, the landlord is constrained to file this contempt petition.

4.The respondent/contemnor has deliberately violated the orders passed by this Court in CRP(MD) No.1185 of 2022, dated 25.08.2022. Therefore, the contemnor is punished with a fine and directed to pay a sum of Rs.10,000/- towards the litigation expenses incurred by the petitioner for filing this contempt petition. Accordingly, this contempt petition is allowed.

20.09.2023

Index:Yes/No
Internet:Yes/No
vrn



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B.PUGALENDHI, J.

vrn

Order made in
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in
CRP(MD) No.1185 of 2022

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