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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.04.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDPANI

CONT.P.No.749 of 2024
in CRP.No.4489 of 2013

1.M.Anandan
2. Sivakumar
3. M. Arjunan
4. M. Raghu
5. Rukkiammal
6. H. Nataraj
7. M. Dharmaraj
8. M. Sivakumar
9. M. Balasubramani
10.M. Rajendran
11.M. Rukkiammal
12.H.M. Raju
13.H.M. Halan
14.Raniammal
15.J. Ramakrishnan
16.Desdina
17.Rukki
18.I. Sivakumar
19.Kamala
20.Suresh
....Petitioners

Vs

J. Janarthanan

....Respondent

PRAYER: Contempt Petition is filed under Section 11 of the Contempt of



Courts Act, to punish J.Janarthanan, the Commissioner-cum-Block Development Officer, Panchayat Union, Kotagiri, The Nilgiris, the respondent herein, for committing willful disobedience of the Common Order of this Court dated 23.07.2015 passed in CRP (NPD) No.4489 of 2013, CRP (PD) No.3505 of 2014 and CRP (PD) No.2636 of 2015 under the Contempt of Courts Act, 1971.

For Petitioner : Mr.T.R. Sathiya Mohan
For Respondents : Mr.S. Rajesh
Government Advocate

ORDER

This Contempt Petition is filed to punish Mr.J.Janarthanan, the Commissioner-cum-Block Development Officer, Panchayat Union, Kotagiri, The Nilgiris, the respondent herein, for committing willful disobedience of the Common Order of this Court dated 23.07.2015 passed in CRP(NPD) No.4489 of 2013, CRP(PD)No.3505 of 2014 and CRP (PD) No.2636 of 2015 under the Contempt of Courts Act, 1971.

2. The petitioners in CRP.No.4489 of 2013, for violation of the order in CRP.No.4489 of 2013 which was disposed of by the common order in CRP(PD)Nos.2636 of 2015 and 3505 of 2014 on 23.07.2015, has filed the



present Contempt Petition.

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3. Further, a perusal of the entire records reveals that the petitioners in CRP.No.4489 of 2013 have filed a petition for striking off the plaint in OS.No.207 of 2013 on the file of Sub-Court, Nilgiris, Uthagamandalam and that the CRP was dismissed along with the other CRPs. However, the CRPs are arising out of the Order in O.S.No.205 of 2013 in IA.No.375 of 2013 and OS.No.182 of 1977 in IA.No.807 of 2014 and IA.No.307 of 2012. If at all the petitioners are aggrieved on those CRPs arising out of the OS.No.182 of 1977 and OS.No.207 of 2013, on the file of the Sub-Court, Nilgiris, Uthagamandam, they have to file an execution petition in the lower court.

4. In view of the above discussion that instead of filing of contempt petition, the petitioners have to file an execution petition before the trial court and there is no willful disobedience on the side of the respondent. Hence this Contempt Petition is closed.

Gv

12.04.2024



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M.DHANDPANI, J.
gv

To

1. The Public Prosecutor,
High Court, Madras.

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