



Rev.Aplo.No.5 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2024

C O R A M

THE HONOURABLE Ms.JUSTICE P.T.ASHA

**Rev.Aplo.No.5 of 2024**  
**in**  
**Cont.P.No.1641 of 2017**

Nivedha Ramesh

.. Petitioner

-Vs-

1. N.H.Rahima
2. A.Shek Mohamed Aliar
3. A.Hameed Sulthan
4. Maalika Fathima,
5. Vijayalakshmi
6. G.Suresh
7. Krishnan

.. Respondents

Prayer: Review Application has been filed under Order 47 Rule 1 and 2 read with Section 114 of C.P.C to review the order passed in Contempt No.1641 of 2017 dated 02.12.2020 and to set aside the same as far as the petitioner is concerned.

For petitioner ... Mr.K.V.Sajeevkumar

For Respondents  
1 to 4

... Mr.Aravindan

Mr.C.E.Pratap  
Government Advocate  
(Crl.Side)



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## **ORDER**

The review application is filed seeking to review the order dated 02.12.2020 passed by this Court in Cont.P.No.1641 of 2017 in and by which this Court had convicted the petitioner herein and three others for committing contempt of the orders of this Court dated 18.03.2008.

2. Without going into the merits of the review petition, the learned counsel for respondents 1 to 4/plaintiffs, on instructions of his client and taking note of the statement made in the affidavit filed by the petitioner as also her father-in-law, V.Sudhan is agreeable to the order dated 02.12.2020 being set aside insofar as the petitioner herein /third defendant. Therefore, **the order dated 02.12.2020 in Contempt No.1641 of 2017 is recalled insofar as it relates to the 3<sup>rd</sup> defendant.** The order is recalled is subject to the following conditions:

*a) Considering the fact that petitioner has not been heard in the contempt petition, the contempt petition is reopened insofar as the*



*petitioner/third defendant is concerned. The petitioner shall file her counter to the contempt petition and if required, she submit herself for cross examination subject to her convenient dates, considering the fact that she is working out of the country.*

*b) The counter shall be positively filed on or before 21.06.2024.*

*c) It is made clear that in case there is any violation of the undertaking given by her in her affidavit dated 30.04.2024 and the affidavit filed by Mr.Sudhan, S/o. Sivaraman, who is the father-in-law of the petitioner, further prosecution shall follow.*

3. Mr.N.Balu, Sub Inspector of Police/Investigating Officer, J-8, Neelankarai Police Station is present before this Court. The Court places on record its appreciation to the Investigating Officer, who has proceeded to try and trace out the second defendant and the



Court hopes that the efforts will continue till the second defendant is secured. The investigating Officer has been instructed that the passport should be returned to the petitioner after getting the necessary endorsement. In addition to the signature of the petitioner, the father-in-law, V.Sudhan shall also affix his signature, thereby binding himself to ensure the presence of the petitioner before this Court as and when required. The own security of Rs.10,000/- which has been paid in cash shall also be returned to the petitioner along with passport.

4. The Court also records its appreciation to Mr.C.E.Pratap, learned Government Advocate (Crl.Side) for the service rendered by him in this matter.

5. It is open to the Investigating Officer to produce this order copy during investigation for securing the second defendant.

6. The lookout circular shall stand recalled insofar as the petitioner / third defendant is concerned.



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7. The Review Application is disposed of on the above lines.

Post the contempt petition on 21.06.2024.

30.04.2024

srn

Issue order copy today (30.04.2024)

Copy to

1. The Inspector General of Registration,  
100, Santhome High Road,  
Chennai 600 028,.
2. The Regional Passport Officer,  
Royala Tower, 4<sup>th</sup> Floor,  
Anna Salai, Chennai 600 002.
3. The Regional Transport Officer,  
RTO-South, Thiruvannamiyur,  
Chennai 600 041.
4. The Deputy Commissioner of Police,  
Adyar. Chennai 600 020.
5. Yahoo India Private Limited,  
03-106, 3<sup>rd</sup> Floor,  
WeWork Oberoi Commerz II,  
I Mohan Gokhale Road,  
Colony No.2, Aarey Colony,



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Mumbai – 400 063.

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6. Foreigners Regional Registration Office,  
No.26, Haddows Road,  
Shastri Bhavan, Nungambakkam,  
Chennai 600 006.



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**P.T.ASHA, J**

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