IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE SHAJI P.CHALY

FRIDAY, THE 30TH DAY OF JULY 2021 / 8TH SRAVANA, 1943

CON.CASE(C) NO. 690 OF 2017

AGAINST THE ORDER/JUDGMENT IN WPC 11935/2015 OF HIGH COURT OF KERALA, ERNAKULAM

PETITIONER/PETITIONER

SREEKANTH
AGED 43 YEARS
S/O SUDHAN,KAITHAVALAPPIL HOUSE,
NAYARAMBALAM P.O.-682509,KOCHI TALUK,
ERNAKULAM DISTRICT.

BY ADV SMT.SADHANA KUMARI ESWARI

CONTEMPTNOR/RESPONDENT:

VRINDADEVI N.R
AGE AND FATHER'S NAME NOT KNOWN TO THE PETITIONER
THR TAHASILDAR, KOCHI TALUK.

SRI.SURIN GEORGE IPE, SR. GOVERNMENT PLEADER

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING COME UP FOR ADMISSION ON 30.07.2021, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

This contempt petition is filed by the petitioner complaining that the directives contained in the judgment dated 01.12.2016 in W.P.C No.11935/2015 are not complied with.

2. Annexure D order issued by the Additional Tahsildar dated 13.03.2017 shows that, a decision was taken by the Additional Tahsildar basically stating that, on production of appropriate documents and hearing all parties, a decision would be taken. Anyhow, the directions contained in the judgment was to the effect that the Tahsildar shall take a decision within a time frame fixed by this Court.

3. Whatever that be, today when the matter was taken up, learned counsel appearing for the contempt petitioner Smt.Sadhanakumari Eswari submitted that, a suit was pending by and between the parties and at present A.S.No.117/2020 is

pending before the IInd Additional District Court, Ernakulam, and in that proceedings the judgment and a decree of the court below is stayed.

Taking into account the said aspect, the subject matter of the suit is said to be one and the same. I do not find any reason to proceed with the contempt petition any further, since the rights as is claimed by the parties are yet to be crystallized in a properly constituted civil proceedings. Therefore, the contempt petition is closed accordingly.

Sd/-

SHAJI P.CHALY

JUDGE

hmh

APPENDIX OF CON.CASE(C) 690/2017

PETITIONER ANNEXURE

ANNEXURE A	**THE TRUE CERTIFIED COPY OF THE JUDGMENT IN W.P.C NO. 11935/2020 DATED 01.12.2016.**
ANNEXURE B	**TRUE COPY OF THE COMPLAINT SUBMITTED BEFORE THE DISTRICT COLLECTOR**
ANNEXURE C	**THE TRUE ACKNOWLEDGMENT RECEIPT ISSUED FROM THE OFFICE OF THE DISTRICT COLLECTOR, ERNAKULAM**
ANNEXURE D	**TRUE ORDER PASSED BY THE CONTEMNOR**

RESPONDENT ANNEXURE : NIL