

Vani vs Sindhu P.

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Court : Kerala

Decided On : Oct-01-2021

Judge : Honourable Mr. Justice Shaji P.Chaly

Appeal No. : Con.Case(C)/990/2019

Appellant : VANI

Respondent : Sindhu P.

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE SHAJI P.CHALY
FRIDAY, THE 1ST DAY OF OCTOBER 2021 / 9TH ASWINA, 1943
AGAINST THE JUDGMENT IN WP(C) 1557/2018 DATED 28.02.2018
OF HIGH COURT OF KERALA PETITIONER/S: 1 VANI, AGED 57
YEARS, W/O. LATE BALACHANDRAN, THOTTAKKATTU HOUSE,
KARITHALA KALATHIPARAMBU ROAD, COCHIN 682 016. 2 VEENA
LAKSHMY, AGED 28 YEARS, D/O. LATE BALACHANDRAN,
THOTTAKKATTU HOUSE, KARITHALA, KALATHIPARAMBU ROAD,
COCHIN 682 106. 3 NANDINI, AGED 24 YEARS, D/O. LATE
BALACHANDRAN, THOTTAKKATTU HOUSE, KARITHALA,
KALATHIPARAMBU ROAD, COCHIN 682 106. BY ADVS.

K.BALACHANDRAN (MANGALATH) SRI.RAJESH NAIR
RESPONDENT/S: 1 SINDHU P. FATHERS NAME AND AGE NOT
KNOWN TO THE PETITIONER, SPECIAL TAHSILDAR LA NO.1,
KAKKANAD 682 030. 2 MUHAMMED.Y.SAFEERULLA, FATHERS
NAME AND AGE NOT KNOWN TO THE PETITIONER, DISTRICT
COLLECTOR, ERNAKULAM 682 030 3 ADDL.MANJULADEVI A.L,
AGED 54 YEARS, W/O P.R.VENUGOPAL, RESIDING AT PULAPPILLIL
HOUSE, THODUPUZHA, IDUKKI DISTRICT, SPECIAL TAHSILDAR
(LA), NO.1, KAKKANAD, PIN-682030 4 SUHAS S, (FATHER'S NAME &
AGE NOT KNOWN TO THE PETITIONER), DISTRICT COLLECTOR,
ERNAKULAM, -2- COLLECTORATE, CIVIL STATION, PIN - 682030 5
ALKESH KUMAR SHARMA, (FATHERS'S NAME NOT KNOWN TO THE
PETITIONER), MANAGING DIRECTOR, KOCHI METRO RAIL LIMITED,
NEAR METRO, JAWAHARLAL NEHRU STADIUM, METRO STATION,
KALOOR, KOCHI - 682017 6 JAFAR MALIK DISTRICT COLLECTOR
ERNAKULAM COLLECTORATE CIVIL STATION PIN- 682030 7
K.R.JYOTHILAL MANAGING DIRECTOR(IN-CHARGE) KOCHI METRO
RAIL LIMITED NEAR METRO JAWAHARLAL NEHRU STADIUM
METRO STATION KALOOR KOCHI-682017

ADDL. R3 TO R5 IMPEADED VIDE ORDER DATED 9.4.2021 IN
I.A.NO.1/21 IN COC 990/19 ADDL.R6 & R7 IMPEADED AS PER
ORDER DATED 6.8.2021 IN I.A.NO.2/2021. BY ADVS. SRI.K.JAJU
BABU (SR.) SMT.M.U.VIJAYALAKSHMI, SC, KOCHI METRO RAIL
LTD. SRI.DHEERAJ, GP THIS CONTEMPT OF COURT CASE (CIVIL)
HAVING COME UP FOR ADMISSION ON 01.10.2021, THE COURT ON
THE SAME DAY DELIVERED THE FOLLOWING: -3-

JUDGMENT

This contempt petition is filed complaining that the directives contained in the judgment dated 28.02.2018, is not complied with.

Evidently, the 3rd respondent has preferred an appeal against the judgment

as Writ Appeal No.2336/2018, and in which, a learned Division Bench of this Court has stayed the operation of the judgment as per an order dated 17.09.2021.

2. In that view of the matter, I am of the considered opinion that the

contempt petition cannot be proceeded with as of now, and no purpose would be served by keeping the contempt petition pending before this Court. Therefore, the contempt petition is closed, leaving open the liberty of the petitioner to reopen the proceedings, if and when situation warrants. Sd/- SHAJI P.CHALY JUDGE uu

04.10.2021 -4- APPENDIX OF CON.CASE(C) 990/2019 PETITIONER ANNEXURE ANNEXURE 1 CERTIFIED COPY OF THE JUDGMENT DATED 28.2.18 ANNEXURE 2 COPY OF THE APPLICATION DATED 3.5.2018 ANNEXURE 3 COPY OF THE LAWYER NOTICE DATED 22.10.18 ANNEXURE 4 COPY OF THE REPLY DATED 23.11.18 OF THE 1ST RESPONDENT ANNEXURE 5 COPY OF THE LETTER DATED 22.12.2018 RESPONDENT'S EXHIBITS: ANNEXURE R1(a) TRUE COPY OF THE CIRCULAR DATED 03.08.2018 ANNEXURE R1(b) TRUE COPY OF THE LETTER ISSUED BY THE DISTRICT COLLECTOR DATED 16.01.2019 ANNEXURE R1(c) TRUE COPY OF THE PROCEEDINGS OF THE SPECIAL TAHSILDAR LA NO.1 DATED 10.03.2021 ANNEXURE R1(d) TRUE COPY OF THE LETTER DATED 09.03.2021 ANNEXURE R1(e) TRUE COPY OF THE DRAFT SALE DEED PREPARED BY THE KOCHIN METRO RAIL LIMITED ANNEXURE R1(f) TRUE COPY OF THE SALE DEED PREPARED BY THE PETITIONERS ANNEXURE 6 COPY OF THE CONSENT LETTER DATED 29.08.2015 GIVEN BY THE PETITIONERS ANNEXURE 7 COPY OF THE AGREEMENT DATED 15.12.15 EXECUTED -5- BETWEEN THE PETITIONERS ON ONE HAND AND THE DISTRICT COLLECTOR, ERNAKULAM, FOR AND ON BEHALF OF KOCHI METRO RAIL LIMITED (KMRL) AND GOVERNMENT OF KERALA ON THE OTHER HAND ANNEXURE 8 COPY OF THE RECENT LETTER DATED 12.03.21 SENT BY THE PETITIONERS TO THE RESPONDENTS ANNEXURE R9 COPY OF THE RECENT LETTER DATED 20.03.21 SENT BY THE

PETITIONERS TO THE RESPONDENTS

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