

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 25.03.2015

CORAM:

THE HONOURABLE MR. JUSTICE SATISH K. AGNIHOTRI

AND

THE HONOURABLE MR. JUSTICE M.VENUGOPAL

Cont. P.No. 160 of 2015

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Abbotsbury Owners Association
rep. By its Authorised Signatory,
Mr.P. Viswanathan,
No.74/42, C.P.Ramaswamy Road,
Alwarpet, Chennai.18.

.... Petitioner

Vs.

1. A. Karthik,
The Member Secretary,
Chennai Metropolitan Development Authority,
No.1 Gandhi Irwin Road,
Egmore, Chennai 600 008.

2. R. Sriram (alias) Rajivakshan,
No.39-B, Vasantha Avenue,
M.R.C. Nagar, Chennai 600 028.

3. M/s. Ramaniyam Real Estates Limited,
rep. By its Managing Director,
Mr. V. Jagannathan, having office at
'Sruthi' No.11 Second Main Road,
Gandhi Nagar, Adyar, Chennai 600 020.

... Respondents

Petition filed under Section 11 of the Contempt of Courts Act 1971, to punish the respondents for willful disobedience of the order dated 02.9.2014 passed by this Court in W.P. No.19374 of 2014.

For petitioner :: Mr. G.RM.Palaniappan

For Respondents:: Mr. N. Sampath - R1

ORDER

This contempt petition is filed to punish the respondents for wilful disobedience of the order dated 02.09.2014 passed by this Court in W.P. No. 19374 of 2014, whereunder, a direction was issued to the following effect:-

"Considering the undertaking given by the 2nd respondent to restore the building to its original usage as non FSI before this Court in the above referred writ petitions as early as on 04.1.2007, the writ petition is disposed of, with a direction to the respondents 2 and 3 to restore the building namely, basement plus ground floor constructed in Block No.II at Door No.74/42, C.P. Ramaswamy Road, Alwarpet, Chennai - 18 in accordance with the sanctioned plan and also in terms of the undertaking recorded in the order passed by the Division Bench of this Court in W.P.Nos. 41786, 41922, 36741 and 36742 of 2006, dated 04.1.2007 to its original usage as non FSI by the end of October, 2014 i.e. 31.10.2014. If the respondents 2 and 3 are not restoring the building to its original usage by the end of October, 2014, i.e. 31.10.2014, the 1st respondent shall take immediate steps to restore the building to its original usage, failing which, appropriate action would be taken against the first respondent."

2. Pursuant to the notice issued by this Court, the first respondent/ Chennai Metropolitan Development Authority, has filed a report stating that the entire commercial building situated at Block No.II at Door No.74/42, C.P.Ramaswamy Road, Alwarpet, Chennai-18 has been locked and sealed on 13.3.2015, which is not disputed by the learned counsel appearing for the petitioner.

3. Accordingly, the order dated 2.09.2014 passed by this Court in W.P. No. 19374 of 2014 has been complied with. Hence, this contempt petition is closed.

ra

SD/
DEPUTY REGISTRAR (CLAA)

//Certified to be true copy//

Dated at Madras this the day of 2015.

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.

SS/CO/15/04/2015

One CC to Mr.G.R.M.Palaniappan, Advocate, SR.4344

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