

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

Contempt Petition No.696 of 2015

U.Naziya Banu

... Petitioner

vs.

1.Mr.Annadurai
Commissioner
Tindivanam Municipality

2.Mr.N.Varadharajan
Highways Engineer
National Highways of Authorities of India
Villupuram Unit
Villupuram

... Respondents

Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondents for the non-compliance of the order in W.P.No.4099 of 2015 dated 18.02.2015.

For Petitioner : Mr.G.Baskar

For Respondent : Mr.R.Vijayakumar
Additional Government Pleader

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O R D E R

Heard the learned counsel for the petitioner and the learned Additional Government Pleader.

2. This contempt petition is filed alleging willful disobedience of the order and direction issued by this

Court in W.P.No.4099 of 2015 dated 18.02.2015.

3. The operative portion of the order reads as follows:

"In the light of the above, without going into the merits of the petitioner's representation, there will be a direction to the respondents 2 and 3 to consider the objections raised by the petitioner in her representation dated 09.02.2015 before erecting the bus shelter, if it has not been erected already. The above said direction shall be complied with by the respondents 2 and 3 within a period of three weeks from the date of receipt of a copy of this order."

4. The petitioner raised objection which is pending consideration before the authorities and a direction was issued by this Court to the effect that if the bus shelter is not erected, the petitioner's representation shall be considered. The authorities were present before this Court and they have also filed their counter affidavit. The specific stand taken by the third respondent is that he became aware of the order only through the contempt notice dated 27.02.2015 and the bus shelter is being erected from the MLA funds and the same is constructed on the land belonging to National Highways Authority of India. Further it is stated that in compliance with the order passed by this Court, the third respondent has passed an order on 17.03.2015 after considering the representation of the

petitioner and expressing their inability to agree to the request made by the petitioner.

5. In the light of the stand taken by the respondents in their counter affidavit and the fact that the third respondent has already passed the order dated 17.03.2015, it is open to the petitioner to challenge the same in the manner known to law.

6. The contempt petition is closed with the above direction.

gpa

SD/
DEPUTY REGISTRAR (CLAA)

//Certified to be true copy//

Dated at Madras this the day of 2015.

COURT OFFICER (O.S.)

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SS/CO/15/07/2015

One CC to Mr.V.Jayaprakash Narayanan, Advocate, SR.8520

To

1.Mr.Annadurai
Commissioner
Tindivanam Municipality

2.Mr.N.Varadharajan
Highways Engineer
National Highways of Authorities of India
Villupuram Unit
Villupuram