

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.07.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

Contempt Petition No.901/2015

R.Ranjith Kumar

.. Petitioner

Versus

1.Mr.K.Thangamuthu

The Chairman

Tamilnadu Slum Clearance Board

Kamarajar Road, Chennai 600005.

2.Dr.R.Palanisamy

The Manaing Director

Tamilnadu Slum Clearance Board

Kamarajar Road, Chennai 600005.

..Respondents

Contempt petition filed under section 11 of the Contempt of Courts Act to punish the respondents for their deliberate and willful disobedience act of contempt of the order dated 05.02.2015 passed by this Court in WP.No.30179/2014.

For Petitioner : Mr.R.S.Mohan

For Respondents : Mr.B.Kesavan

ORDER

The above contempt petition has been filed for willful disobedience of the order and direction passed by this Court in WP.No.30179/2014 dated 05.02.2015.

2.The direction issued by this Court to the

<https://hcservices.ecourt.gov.in/hcservices/> respondent/Board is to consider the petitioner's

representation after notice to the petitioner and

appropriate orders was directed to be passed. In the same order, a direction was also issued to hear the respondents 3 and 4 [in the writ petition].

3.The learned counsel for the respondent/Board submitted that notices were sent ; but the notice sent to the petitioner returned with the postal endorsement "left". However, the notice was received by the other persons, viz., respondents 3 and 4 in the writ petition and they have also appeared for enquiry and an order has been passed.

4.Learned counsel for the petitioner would submit that the petitioner has not received any notice and there is no reason for the petitioner to refuse the notice, especially, the subsequent communication dated 17.04.2015, which was sent to the same address was received by the petitioner. A copy of the same has been produced before this Court.

5.In the light of the controversy, this Court is of the view that the petitioner should be heard afresh and for which purpose, fresh notice has to be issued to him and if any orders have been passed without hearing the petitioner, the same is held to be illegal and accordingly set aside.

6.In the light of the above, the contempt petition is disposed of by directing the respondent/Board, to issue

fresh notice to the petitioner as well as to the respondents 3 and 4 in the writ petition by serving the said notices in person and after hearing the parties in person, pass a speaking order on merits and in accordance with law. The above direction shall be complied with within a period of three weeks from the date of receipt of a copy of this order.

Ap

SD/-

DEPUTY REGISTRAR (CLAA)

//Certified to be true copy//

Dated at Madras this the day of 2015.

COURT OFFICER (O.S.)

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

KMV/25/11/2015

To

1. Mr. K. Thangamuthu
The Chairman
Tamilnadu Slum Clearance Board
Kamarajar Road, Chennai 600005.

2. Dr. R. Palanisamy
The Managing Director
Tamilnadu Slum Clearance Board
Kamarajar Road, Chennai 600005.