

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.06.2015

CORAM:

The Honourable Mr. SANJAY KISHAN KAUL, Chief Justice
and
The Honourable Mr. Justice T.S.SIVAGNANAM

Writ Petition No. 19851 of 2001
and
Contempt Petition No.96 of 2002

K. Ravi Petitioner in both petitions

vs.

1. Mr. Jasgirsingh Bajaj
The District Collector
Sivaganga District, Sivaganga.
2. Mr. K. Parasuraman
The Commissioner
Karaikudi Municipality
Karaikudi, Sivaganga District.
3. Mr. K.P. Abdullah
SPP Hotels
Amman Sannathi
Karaikudi, Sivaganga District. Respondents in both petitions

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issue of a Writ of Mandamus forbearing respondents 1 and 2 herein or their men, agents, servants or any one claiming under them from in any manner granting lease or permission or conveyance or any other right to the property in S.No.311, Block No.3, Ward No.3, Karaikudi Town at Sivaganga District in favour of the third respondent herein and directing respondents 1 and 2 to remove the unauthorised construction put up by the third respondent.

Contempt Petition filed under Sections 10 to 12 of the Contempt of Courts Act, to punish the respondents/contemnors for having committed contempt of Court for disobeying the order dated 19.10.2011 made in WMP Nos.29259 and 29260 of 2001 in W.P. No.19851 of 2001.

For Petitioner : Ms. A.L. Ganthimathi
For Respondents : Mr. S.T.S. Murthi
Government Pleader for R1
Mr. V. Subbarayan for R2
Mr. R. Balaji for R3

O R D E R

(Made by The Hon'ble The Chief Justice)

The writ petition has been filed as a public interest litigation alleging illegality in construction by the third respondent and seeking restraint against the first two respondents from conveying any right in respect of the land.

2. On 29.04.2002, after hearing learned counsel for the parties, interim orders were granted predicated on a reasoning of lease having expired on 24.10.2001 and the absence of any building permission from the local authority. The said interim order is continuing till date.

3. The contempt petition is filed separately alleging violation of the interim orders.

4. Much time has passed, since the initiation of the proceedings and the learned counsel for the petitioner has received no recent instructions. We are, thus, of the view that a closure should be put with a direction to the first and second respondents to cause an inspection on the site in question to verify if any illegality exists. If illegalities are found, action in accordance with law be taken, after notice to all concerned. The exercise may be undertaken within a maximum period of three months from the receipt of the order.

5. The writ petition accordingly stands disposed of. Consequently, the contempt petition is closed. No costs.

Sd/-

Assistant Registrar(CS IV)

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Sub Assistant Registrar

ATR

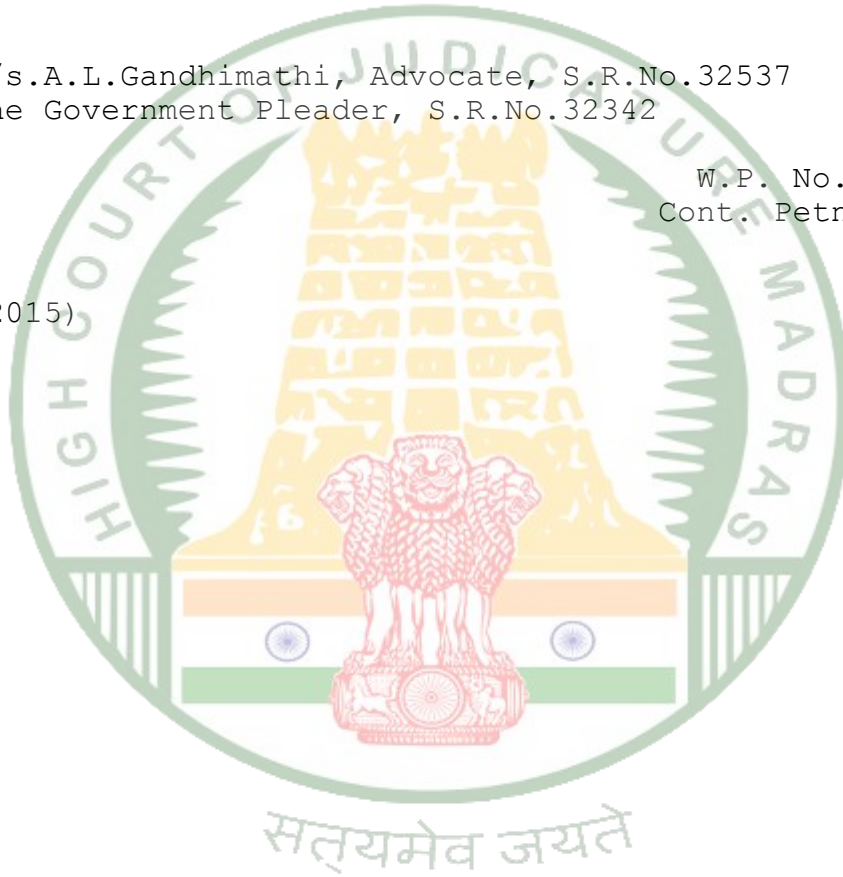
Copies to;

1. The District Collector
Sivaganga District, Sivaganga.
2. The Commissioner
Karaikudi Municipality
Karaikudi,
Sivaganga District.

+1cc to M/s.A.L.Gandhimathi, Advocate, S.R.No.32537
+1cc to the Government Pleader, S.R.No.32342

W.P. No. 19851 of 2001 &
Cont. Petn. No. 96 of 2002

RV(CO)
CA(10/07/2015)



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