

CONTEMPT CASE No.342 of 2014

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ORDER:

The order, violation of which is alleged in this Contempt Case, is the order passed by this Court in WPMP.No.186 of 2014 in W.P. No.173 of 2014 dated 28.01.2014 whereby the respondents were directed not to use an extent of Acs.3.20 guntas for any purpose, other than as a playground, pending further orders.

In the counter-affidavit filed by the District Collector, it is stated that construction of the hostel was undertaken on the corner of the playground which is uneven in dimension, and not useful for playing hockey; if this area, earmarked for the purpose of construction is excluded, there exists about Acs.3.20 guntas for the purpose of the playground alone; and the layout of the entire premises, showing the proposed construction area, was being filed for the perusal of the Court.

From the counter-affidavit, it is evident that the respondents have proceeded with construction, leaving an extent of Acs.3.20 guntas to be used only as playground. The order of this Court has not been violated, much less willfully and deliberately. In the light of the specific averment in the counter-affidavit, which has not been rebutted by way of a reply-affidavit, I see no reason to proceed against the respondents under the Contempt of Courts Act.

The Contempt Case is, accordingly, closed.

RAMESH RANGANATHAN, J

4th DECEMBER, 2015.

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