

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2016

CORAM

THE HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND

THE HON'BLE MR.JUSTICE M.SUNDAR

Contempt Petition No.1177 of 2015

A.Anandan

.. Petitioner

Vs

Vikram Kapur
Commissioner
Corporation of Chennai
Ripon Buildings
Chennai - 600 003.

.. Respondent

PRAYER: Petition under Section 11 of the Contempt of Courts Act, 1971 to punish the respondent for willful disobedience of the order dated 15.9.2006 passed in W.P.No.36366 of 2005.

For Petitioner : Mr.S.Mohan

For Respondents : Mr.K.Venkataramani
Addl. Advocate General
assisted by
Mr.V.C.Selvasekaran

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ORDER

(Order of the Court was made by the *Hon'ble Chief Justice*)

The contempt petition has been filed in the year 2015 in respect of an order passed on 15.9.2006, after nine years. The excuse given for such delay is stated to be a policy decision not to demolish unauthorized construction, but it is conceded that this Court by an order dated 23.8.2006 had opined that the cut-off date should be 28.2.1999 and the endeavour to re-fix the cut-off date failed.

2. The contempt proceedings are meant for willful disobedience of the orders of the Court and not for matters of this nature, where the order only records that the respondent Corporation had issued stop work notices to the fourth private respondent therein and action had to be taken in accordance with law.

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3. In any case, the report filed on behalf of the respondent suggests that the petitioner and the fourth respondent in the writ petition both had unauthorized construction and ultimately fresh notices have been issued on 24.11.2016 to different parties followed by locking and sealing notice dated 1.12.2016.

(3)

In view of the aforesaid, the petition is dismissed.

SD/-
JOINT REGISTRAR(OS) I/C

sasi

//Certified to be true copy//

Dated at Madras this the day of 2017.

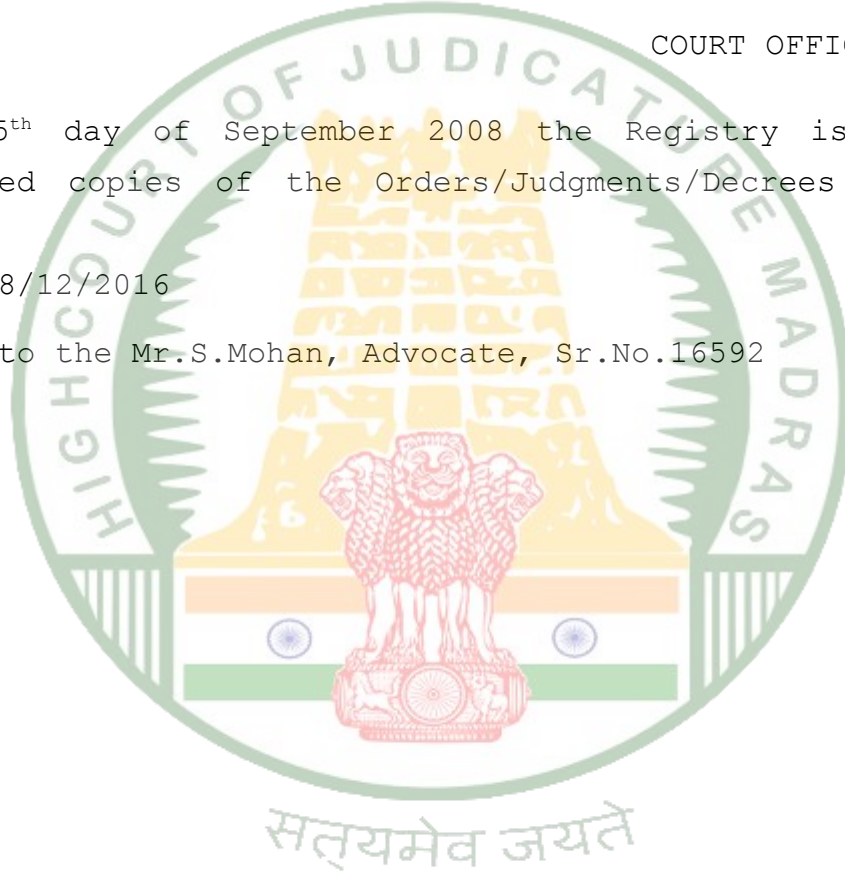
COURT OFFICER(O.S.)

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one cc to the Mr.S.Mohan, Advocate, Sr.No.16592

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