

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.03.2016

CORAM

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

THE HON'BLE MR. JUSTICE M.M.SUNDRESH

Contempt Petition No.2509 of 2015

N.Krishnan

... Petitioner

Vs

1.K.Pushpa
Tahsildar,
Alandur Tahsildar Office,
No.12, 1st Main Road,
Nanganalur,
Chennai-600 061.

2.The Commissioner,
Pallavaram Municipality,
New Colony, Chrompet,
Chennai-600 044.

... Respondents

Contempt Petition filed under Sections 11 of the
Contempt of Courts, Act, 1971 punish the respondents for
the wilful disobedience of the order passed by this Court
in W.P.No.2130 of 2015, dated 30.01.2015.

For Petitioner .. Mr.V.Venkatesan

For Respondents .. Mr.V.R.Kamalanathan
Addl. Govt. Pleader for R1
Mr.P.Srinivas for R2

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O R D E R

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

We have perused the counter-affidavit and the
photographs. The structure built by the Municipality is
for Bio-Methanation Plant. It is not a water body, but
adjacent to the bund. There is road going by the side.

2. We are of the view that this is not a case for exercising the contempt jurisdiction, more so when we had asked the representation of the petitioner to be disposed of by the fifth respondent in the writ petition in terms of G.O.Ms.No.540, dated 04.12.2014.

3. The contempt petition is closed.

4. We may note that the petitioner has also filed a suit for permanent injunction being O.S.No.433 of 2015 on the file of the District Munsif Court, Alandur relating to the same subject matter and wants restraint of construction. The construction was not stopped as no interim orders are granted. Thus, with the closure of the present contempt proceedings, the suit also has become infructuous and should be closed. The copy of this order be sent to the District Munsif, Alandur.

SD/-

ASSISTANT REGISTRAR(OS)

bbr

//Certified to be true copy//

Dated at Madras this the day of 2016.

COURT OFFICER(O.S.)

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

To

1.The District Munsif, Alandur, Chennai.

2.The Tahsildar, Alandur, Tahsildar Office, No.12, 1st Main Road, Nanganalur, Chennai - 06.

3.The Commissioner, Pallavaram Municipality, New Colony, Chrompet, Chennai - 600 044.

BP/CO/07/04/2016

1.One CC to The Government Pleader, Sr.No.1802/2016

2.One CC to M/s.V.Raghupathi, Advocate, Sr.No.1823/2016



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