

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.04.2016

CORAM:

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
and
THE HON'BLE DR.JUSTICE P. DEVADASS

Contempt Petition No.1182 of 2016

Syed Masood Ahamed Saheb

.. Petitioner

Vs.

Mr. S. Jagadeesan
Commissioner
Chidambaram Municipality
Chidambaram

.. Respondent

Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, seeking to punish the respondent for wilful disobedience of the order dated 18.01.2016 passed in W.P. No.30977 of 2015.

For petitioner Mr. S. Jayasankar

For respondent Mr. P.S. Sivashanmugasundaram
Special Government Pleader

ORDER

(delivered by SATISH K. AGNIHOTRI, J.)

The writ petition preferred by the petitioner, i.e., W.P. No.30977 of 2015 was disposed of by this Bench vide order dated 18 January 2016, directing the respondent herein, who was the first respondent therein, to take consequential action on merits and in accordance with law within the statutory period prescribed under the provisions of the Tamil Nadu Town and Country Planning Act, 1971.

2 This contempt petition is filed on the ground that the aforesaid order passed by this Bench has not complied with by the respondent herein.

3 When a query is posed to the learned counsel for the petitioner as to what is the time limit prescribed under the statute to take consequential action, the learned counsel for the petitioner fairly submits that no time limit has been prescribed under the statute.

4 When any time limit has been specified under the statute and when the respondent has not acted within the said time limit despite the order of this Court to that effect, it can be held that the respondent has committed contempt of Court. But, when the fact remains that there is no time limit prescribed under the statute, we are of the considered opinion that the petitioner has not made out a case for contempt of Court.

As a sequel, the contempt petition fails and accordingly, stands dismissed.

cad

SD/-
JOINT REGISTRAR(OS)

//Certified to be true copy//

Dated at Madras this the day of 2016.

COURT OFFICER(O.S.)

<https://hcservices.ecourts.gov.in/hcservices/>

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

SMI/CO/20/05/2016