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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.01.2019

CORAM

THE HON'BLE Mr. JUSTICE **M.M. SUNDRESH**
and

THE HON'BLE Mr. JUSTICE **M. SUNDAR**

Cont.P.No.1023 of 2016

B.Anand Kumar .. Petitioner

Vs.

Dr.R.Vijaya Karthikeyan,
The Commissioner,
Corporation of Coimbatore,
Coimbatore - 641 001
Coimbatore District.

.. Respondent

Petition filed under Section 11 of Contempt of Courts Act to punish the respondent herein for his wilful disobedience of the order passed in W.P.No.21833 of 2015 dated 22.07.2015.

For Petitioner .. Mr.P.A.Chithramani

For Respondent .. Mr.Saravanan

ORDER

(Order of the Court was made by **M.M. SUNDRESH, J.**)

Alleging that the order dated 22.07.2015 passed by this Court in W.P.No.21833 of 2015 has not been complied with, the present contempt petition has been filed.



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2. When the matter is taken up for hearing, learned counsel appearing for the respondent submits that the temple in question has been removed after having found the encroachment.

3. Learned counsel appearing for the petitioner would submit that there is yet another temple, which is under encroachment.

4. We find that even in the representation, only one temple has been mentioned, which has been removed. If the petitioner's grievance is that yet another temple is also under encroachment, it is well open to him to approach the respondent for removal of the same. As and when the representation is made, the respondent shall act accordingly and take steps to remove the temple, provided encroachment is found. It is needless to state that before passing such an order, an opportunity will have to be given to the person who constructed the said temple and the petitioner also should be put on notice. The entire exercise will have to be completed within a period of eight weeks from the date of receipt of such representation.



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5. In such view of the matter, the contempt petition stands closed.

SD/-
ASSISTANT REGISTRAR (COMM. CASES)

mmi

//Certified to be true copy//

Dated at Madras this the day of 2019.

COURT OFFICER (O.S.)

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PS/14/02/2019