

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.08.2017

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THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

Contempt Petition No.269 of 2017

South India Public Welfare Association,
Rep. by its Kancheepuram East
District Secretary, Mr.K.S.Srinivasan,
No.18, Bharathidasan First Street,
(opp. to Government High School),
Pallikaranai, Chennai - 600 100. ...Petitioner

Vs.

Mr.R.Mohan, B.E., Executive Engineer,
Tamil Nadu Slum Clearance Board,
JNURM Division, Chemmanchery,
Chennai - 600 119. ...Respondent

Petition filed under Section 11 of Contempt of Courts Act praying to
punish the respondent herein for his act of willful disobedience of order passed
by this Hon'ble Court in W.P.No.225 of 2015, dated 03.02.2015.

For Petitioner : Mr.A.R.Ramalingam

For Respondent : Mr.B.Kesavan

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ORDER

This contempt petition has been filed alleging willful disobedience of the order and direction issued by this Court in W.P.No.225 of 2015 on 03.02.2015. According to the petitioner, the direction issued in paragraph No.8 of the order has been violated.

2.Though the contempt petition was listed earlier and the learned Standing Counsel was directed to get instructions, since no action was taken, the contemnor was directed to be appear in person before this Court today, pursuant to the order passed on 17.03.2017.

3.The learned Standing Counsel appearing for the respondent while apologizing for the conduct of the respondent and giving explanation that he has violated the order passed by this Court, submitted that the respondent/contemnor had urgently left for the United States to attend his daughter on account of certain emergency situation and therefore, he is unable to be present in Court today. Further it is submitted that pursuant to the order passed by this Court, on strict compliance of the order, the respondent/contemnor has passed an order on 03.04.2017 and the said order has been challenged by the petitioner by filing separate writ petitions.

4.Learned counsel for the petitioner seeks to make out a case by contending that the tenor of the direction issued by this Court in the order dated 03.02.2015 has not been complied with and the report/recommendation of the District Collector has been furnished.

5.Learned Counsel appearing for the respondent/contemnor would submit that the direction issued by the District Collector/Tahsildar was to be consider, the request of the petitioner and there was no positive recommendation. In any event, the petitioner, having challenged the order dated 03.04.2017 by way of an independent writ petition, should urge all these points in the said writ petition.

6.Accordingly, the contempt petition is closed, giving liberty to the petitioner to raise all contentions in the writ petition filed by them challenging the order dated 03.04.2017. For the above reasons, the personal appearing of the respondent is dispensed with. No costs.

08.08.2017

Index : Yes/No
abr

T.S.SIVAGNANAM,J

abr

To

Mr.R.Mohan, B.E., Executive Engineer,
Tamil Nadu Slum Clearance Board,
JNURM Division, Chemmanchery,
Chennai - 600 119.



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