

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.01.2017

THE HONOURABLE MR.JUSTICE **HULUVADI G. RAMESH**
AND
THE HON'BLE DR JUSTICE **ANITA SUMANTH**

Contempt Petition No. 1681 of 2016

Mrs.Brinder Kaur Appellant

vs

1.Mr.Chandramohan I.A.S.,
Commissioner,
Corporation of Chennai,
Rippon Building,
Chennai - 3

1

2. Mr.S. Natarajan,
Zonal Officer,
Zone-7, Chennai Corporation,
M.T.H Road,
Ambattur,
Chennai-53

..... Respondents

Contempt Petition filed under Sec.11 of the Contempt
of Court's Act 1971 to punish the respondents herein for
willful disobedience of the order of this Court made in W.P
No.4587 of 2015 dated 13.07.2015.

For appellant : Mr. K.C. Vinodh
For respondents: Mr.Venkataramani
Addl.Advocate General for
Mr.R. Arunmozhi

ORDER

(Order of the Court was made by **HULUVADI G. RAMESH, J.,**)

Contempt petition is dismissed, having no merits on

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

the ground that on the basis of the further report,

submitted by Tahsildar, the allegations made by the petitioner in respect of the encroachment of 15 feet in the 30 feet road, is found to be baseless. It is made clear in the report that after the merger of the Ambattur Municipality with the Greater Chennai Corporation, the land in front of the petitioner, has not been handed over to the Corporation. As per the sketch of the road, which is said to be 30 feet, the road exists only to the extent of 15 feet and not 30 feet and the remaining 15 feet, alleged to have been encroached, belongs to private parties, which is in the form of private punja land. The said lands belong to the respective owners do not form part of the Corporation property or the Government.

2. Such being the case, on further clarification, having found that there is no encroachment as contended by the petitioner, we are of the opinion that the case of the petitioner does not deserve consideration.

3. It is needless to say that if at all the petitioner intend to go to Civil Court to fight out litigation, if so advised, it is for her to do so at the cost of the petitioner herself and however, the Civil Court would also examine the case on merits and maintainability of the suit with regard to the nature of the title

available to other parties, who are said to have put up construction on the punja land.

Sd/-

JOINT REGISTRAR (OS)

//Certified to be true copy//

Dated at Madras this the day of 2017.

COURT OFFICER(O.S.)

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

Ss/CO/24/01/2016

One CC to Mr.L.Chandrakumar,Advocate, Sr.No.447

One cc to M/s.R.Arunmozhi,Advocate,Sr.No.339



WEB COPY