

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2017

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

Cont.P.No.1971 of 2016

Zahir Service Centre
represented by its Proprietor,
Mr.A.C.Zahir Hussain,
having office at 14-C, Dams Road,
Anna Salai,
Chennai - 600 002. ... petitioner

Versus

Dr.Chandramohan, I.A.A.,
Commissioner,
Corporation of Chennai,
Rippon Buildings,
Chennai - 600 003. ... Respondent

Contempt Petition filed under Section 11 of the
Contempt of Courts act to punish the respondent for willful
disobedience of the order passed in W.P.No.11201 of 2015
dated 17.04.2015.

For petitioner : Mr.K.Raja

For Respondent : Mr.P.V.Selvakumar

ORDER

The petitioner filed W.P.No.11201 of 2015 praying for
the issuance of writ of mandamus directing the respondent
to forthwith settle the amount of Rs.15,08,747/- due and
payable to the petitioner together with interest at the
rate of 24% per annum and vide order dated 17.04.2015, this

Court has directed the first respondent to consider and dispose of the representation of the petitioner dated 10.01.2015 in accordance with law, within a stipulated time frame and communicate the same to the petitioner and alleging violation of the said order, the present contempt petition has been filed.

2. The learned counsel appearing for the petitioner would submit that the representation submitted by the petitioner have not been considered in proper perspective and therefore, the petitioner is constrained to file this contempt petition.

3. *Per contra*, Mr.P.Selvakumar, learned counsel appearing for the respondent has drawn the attention of this Court to the report dated 08.09.2016 and would submit that the petitioner was issued with a show cause notice for compliance of certain things and for nearly five years, he did not turn up and all of a sudden, a lawyer notice dated 01.10.2014 was issued making claims for the dues and a reply was also sent on 02.12.2014. He further submitted that the petitioner's representation dated 10.01.2015 has been considered and rejected based on the recommendation of the Vigilance Officer, Chennai Corporation.

4. This Court has considered the rival submissions and also perused the materials placed before it.

5. The respondent/contemnor has also sent a communication dated 04.08.2015, confirming about the order

of revocation and cancellation of his agreement and also enclosed a copy of the same and also rejected his latest representation and informed the petitioner also.

6. In the light of the above facts and circumstances, this Court is of the view that no contempt has been made out. Therefore, the contempt petition is closed. However, if the petitioner is aggrieved, he is at liberty to challenge the communication with regard to the revocation and cancellation of his agreement in accordance with the law before the competent forum.

SD/-
JOINT REGISTRAR(OS) (i/c)
vsm

//Certified to be true copy//

Dated at Madras this the day of 2017.

COURT OFFICER(O.S.)

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SM/CO/05/07/2017

To

Dr.Chandramohan, I.A.S.,
Commissioner,
Corporation of Chennai,
Rippon Buildings,
Chennai - 600 003.

one cc to M/s.K.Raja, Advocate, High Court,sr.No.3194/17