

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.06.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

Cont.P.No.2030/2016 in WP.No.13638/2015

The Chennai Fruits Commission Agents' Association,
(registered under the Companies Act 1913),
Represented by its President, S.Srinivasan,
T/D 101, Anna Fruit Market, Koyambedu,
Chennai 600 092 ... Petitioner

Vs.

Mr.Dharmendra Pratap Yadav, I.A.S.,
The Member Secretary,
Chennai Metropolitan Development Authority (CMDA),
Thalamuthu Natarajan Building,
No.1, Gandhi Irwin Road,
Egmore, Chennai 600 008 ... Respondent

Contempt Petition filed under section 11 of the
Contempt of Courts Act, 1971, to punish the respondent for
contempt of Court for the willful disobedience of the order
of this Court made in WP.No.13638 of 2015 dated 30.04.2015.

For Petitioner : Mr.A.R.L.Sundaresan, SC
for Mr.V.G.Suresh Kumar
For Respondent : Mr.C.Manisankar,
Addl. Advocate General
Assisted by Mr.M.Karthikeyan

ORDER

Mr.A.R.L.Sundaresan, learned Senior counsel
assisted by Mr.V.G.Sureshkumar, learned counsel appearing
for the petitioner would contend that but for the
initiation of the contempt proceedings, the illegalities on

the part of the allottees, viz., K.Damodaran and his wife Sundaravalli, would not come into light in the form of the affidavit dated 10.04.2017 filed on behalf of the Chennai Metropolitan Development Authority (CMDA) and it paints a very sorry and disturbing picture and prays for appropriate direction, directing the CMDA to find out of the illegalities and irregularities in allotment of shops in Koyambedu Fruit and Flower Market run by CMDA, so that, this kind of illegalities should not taken place in future.

2 Mr.C.Manisankar, learned Additional Advocate General assisted by Mr.M.Karthikeyan, learned counsel appearing for CMDA would submit that but for the fair narration of the stand taken by the CMDA in the affidavit, the illegalities and irregularities could not have come to light and on coming to know the dubious role played by the allottees viz., K.Damodaran and his wife Sundaravalli, show cause notice have been issued for cancellation of the same and on instructions would further submit that periodical monitoring and inspection will be done so as to prevent the illegalities and irregularities and prays for closure of the contempt petition.

3 This Court paid its best attention to the rival submissions and also perused the materials placed before it.

4 As rightly pointed out by Mr.A.R.L.Sundaresan, learned Senior Counsel appeared for the petitioner, the contents of the Affidavit dated 10.04.2014 filed on behalf

of CMDA projects a disturbing picture and also a sorry state of affairs. However, in the light of the assurance given by Mr.C.Manisankar, learned Additional Advocate General, on instructions, this Court hope and trust that periodical monitoring and inspection will be done by CMDA so as to prevent the illegalities and irregularities pointed out in their affidavit cited supra followed by appropriate and immediate action to set right the same.

5 The contempt petition is closed subject to the above observation.

SD/-

JOINT REGISTRAR(OS) I/C

RKA

//Certified to be true copy//

Dated at Madras this the day of 2017.

COURT OFFICER(O.S.)

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SS/CO/23/06/2017

To
Mr.Dharmendra Pratap Yadav, I.A.S.,
The Member Secretary,
Chennai Metropolitan Development Authority (CMDA),
Thalamuthu Natarajan Building,
No.1, Gandhi Irwin Road,
Egmore, Chennai 600 008.

one cc to Mr.M.Karthikeyan, Advocate, sr.No.6240/17