

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2018

CORAM

THE HON'BLE MR.JUSTICE HULUVADI G.RAMESH

AND

THE HON'BLE MR.JUSTICE RMT.TEEKAA RAMAN

Contempt Petition No.1612 of 2017

in

W.P.No.7931 of 2017

D.Shanmugam

... Petitioner

-vs-

1. Mr.C.Subramaniam, Deputy Director,
Office of the Deputy Director,
Town and Country Planning, Part II,
Sathuvachary, Vellore-9.

2. Ms.S.Paarijadhham, Commissioner,
Thiruvannamalai Municipality,
Thiruvannamalai District.

... Respondents

Petition filed under Section 11 of the Contempts of Court Act, 1971, to punish the respondents 1 and 2 for their willful disobedience of the order of this Court dated 04.04.2017 in W.P.No.7931 of 2017.

For Petitioner :: M/S. A.R.Karthik Lakshmanan

For Respondents :: Mr.R.Prathapkumar,
Addl.Govt.Pleader for R1

Mr.A.S.Thambusamy for R2

ORDER

(Made by HULUVADI G.RAMESH, J.)

When this contempt petition was taken up, the learned Additional Government Pleader appearing for the first respondent has filed an affidavit in which it is stated that considering the application made by the respondents 3 to 6 in W.P.No.7931 of 2017, the subject matter of illegal construction has been listed as Agenda No.10 before the 39th Empowered Committee Meeting held on 30.08.2017 at 2.30 p.m., in the Chambers of the Secretary to Government, Housing and Urban Development Department, Chennai-600009 and in that meeting, the Committee had noted that the site lies in a continuous built area; that the respondents 3 to 6 in the writ petition, have given an undertaking to demolish the second floor so as to restrict the height of the building to 9.0m to satisfy the heritage norms. It is also stated that considering the said undertaking and also considering the fact that the site lies in a continuous built area, the Committee had decided to relax the setback violations subject to payment of premium FSI charges for the excess FSI achieved or collection of charges at premium FSI rate for the shortages in setback area whichever is higher.

2.Having perused the affidavit filed by the learned Additional Government Pleader as stated supra, we find substantive compliance of the order passed by this Court in W.P.No.7931 of 2017 dated 04.04.2017 and accordingly, the contempt petition is closed.

SD/
ASSISTANT REGISTRAR (Comm. Cases)
km

//Certified to be true copy//

Dated at Madras this the day of 2018.

COURT OFFICER (O.S.)

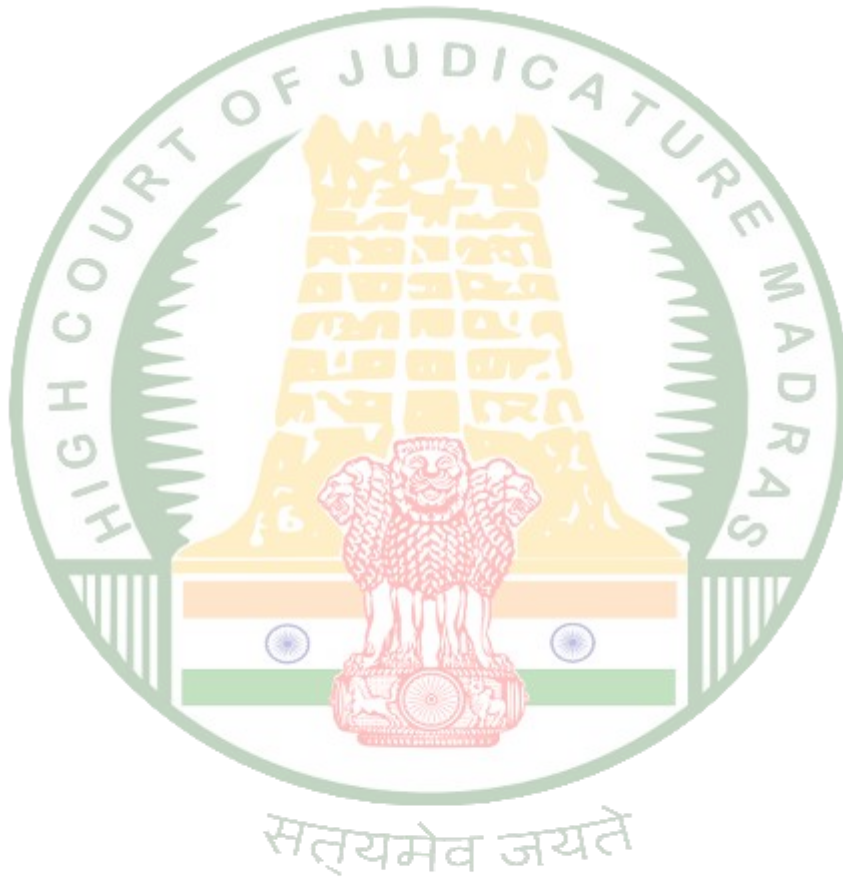
From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.

km/CO/21/12/2018.

One CC to Government Pleader, SR.No.1743.

One CC Mr. Al. Ganthimathi SR, No.1732.

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