

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2018

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH

Cont. Petition No.1676 of 2017

S.Valarmathi Petitioner

vs.

T.Rajendran,
Executive Officer,
Perundurai Town Panchayat,
Perundurai, Erode District. Respondent

Petition filed under Section 11 of Contempt of Courts Act to punish the respondent herein for disobeying the order of this Court dated 11.04.2017 passed in W.P.No.43054 of 2016.

For Petitioner .. Mr.S.Kaithamalai Kumaran

For Respondent .. Mr.M.Ezhumalai,
Govt. Advocate

ORDER

Alleging that the order passed by this Court has been violated by the respondent, the present contempt petition has been filed.

2.Learned counsel appearing for the petitioner would submit that the respondent/contemnor is not issuing the No Objection Certificate though an undertaking given by the petitioner stands.

3.Learned Government Advocate appearing for the contemnor would submit that there are two difficulties in this case. One is with respect to the unauthorised drawal of water from the borewell contrary to the undertaking given, for which, an enquiry was initiated but the petitioner did not receive the notice and the second is with respect to the building being constructed contrary to the approved plan.

4.The order passed by this Court is qualified. This Court has given liberty to the respondent/contemnor to proceed as per law by conducting the enquiry. Admittedly, the enquiry has been initiated and it appears that the petitioner is not cooperating.

5.In such view of the matter, this Court does not find any wilful disobedience of the order passed and the contempt petition stands closed. However, liberty is given to the petitioner to appear before the enquiry officer or to work out her remedy in the manner known to law.

mmi

SD/-
ASSISTANT REGISTRAR (COMM.CASES)

//Certified to be true copy//

Dated at Madras this the day of 2018.

COURT OFFICER (O.S.)

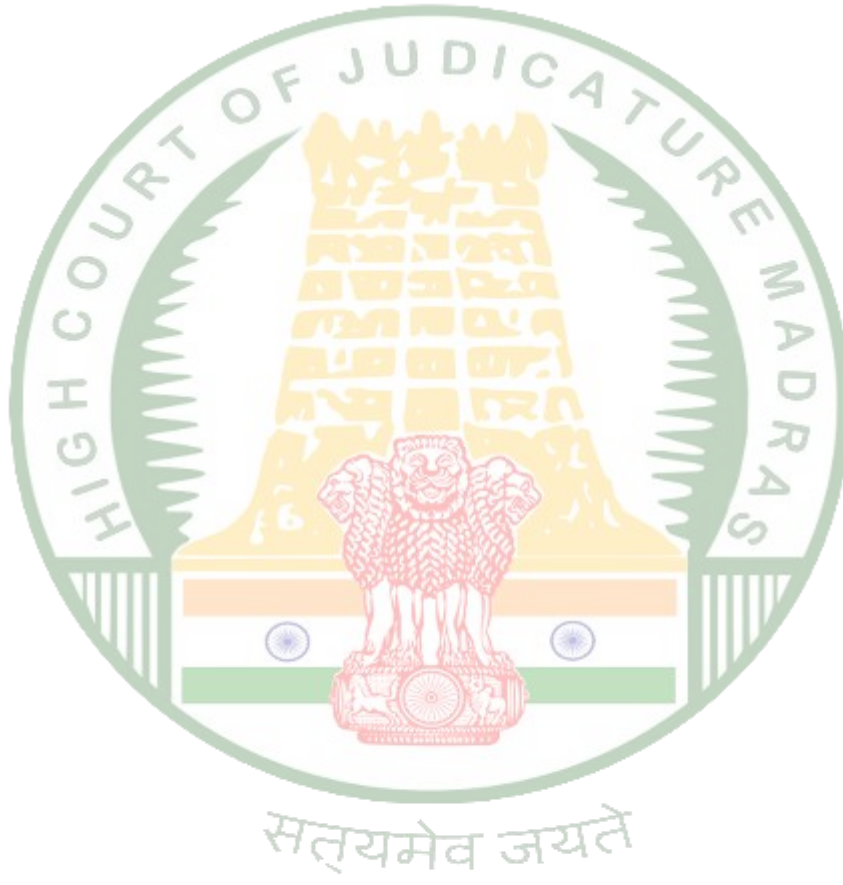
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one cc to Mr. Elumalai, SR.No.3838.

One cc to Mr. M/s. A.K. Kumarasamy, SR, No.3402.

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