

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.12.2018

Coram

The Hon'ble Mr. Justice **M.M. SUNDRESH**
and
The Hon'ble Mr. Justice **R.MAHADEVAN**

Cont. Petition No.942 of 2018

P.Vasu Kumar .. Petitioner

vs.

Dharmaraj,
Member and Secretary,
Coimbatore Local Planning Authority,
Tata Path, Coimbatore-12. .. Respondents

Petition filed under Section 11 of Contempt of Courts
Act to punish the respondent for committing contempt in
violation of the order of this Court dated 01.11.2016 in
W.P.No.37714 of 2016.

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For Petitioner .. Mr.B.Nedunchezhiyan

For Respondents .. Mr.R.Govindasamy,
Special Government Pleader

ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

The following is the averment made in paragraph 9 of the affidavit filed by the respondent.

"9.I respectfully submit in pursuance of this Hon'ble Court order passed in W.P.No.37714 of 2016 inspection has been carried out by this respondent and found the 5th respondent deviated the building plan. Hence a notice has been issued that not to construct forthwith. Aggrieved by this order, the 5th respondent filed a writ petition in W.P.No.5383/2017 in this Hon'ble Court pleased to pass an order directing the 1st respondent to consider the appeal filed by the petitioner on 15.12.2016. The 1st respondent vide letter (D) No.318/MA-1/2017, dated 10.08.2017 disposed the appeal filed by the petitioner directing the petitioner to submit the revised building plan to the Commissioner, Coimbatore Corporation under Poor Class Area within 15 days from the receipt of the order. On the basis of the order passed by the Government, the Coimbatore Municipal Corporation granted planning permission to the petitioner vide proceedings in B.A.No.BA/0978/2017/MH2/E, B.L.No.BL/0100

/201/mh2/3 dated 06.02.2018."

2. In view of the same, we do not find any wilful disobedience on the part of the respondent and the contempt petition stands closed. However, liberty is given to the petitioner to challenge the planning permission granted, if he is so advised.

SD/-
ASSISTANT REGISTRAR (COMM.CASES)
raa

//Certified to be true copy//

Dated at Madras this the day of 2019.

COURT OFFICER (O.S.)

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