

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.07.2019

CORAM

THE HON'BLE Mr. JUSTICE **M.M. SUNDRESH**
and
THE HON'BLE Mr. JUSTICE **M.NIRMAL KUMAR**

Cont.P.No.742 of 2019

B.Vasudevan

..Petitioner

Vs.

1.D.Karthikeyan, IAS
The Commissioner
The Corporation of Chennai
Rippon Building Chennai - 3

2.Rajesh Lakhoni, IAS
The Member Secretary
Chennai Metropolitan
Development Authority, Egmore
Gandhi Irwin Road,
Chennai - 8

..Respondents

Petition filed under Section 11 of Contempt of Courts
Act to punish the respondents for their wilful disobedience
of the order of this Court in W.P.No.11923 of 2016 dated
31.03.2016.

For Petitioner : Mr.R.S.Mohan

For Respondent : Mr.V.C.Selvasekaran
for R1

WEB COPY

ORDER

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

Alleging that the order passed in W.P. No. 11923 of 2016 dated 31.03.2016 has not been complied with, the present contempt petition has been filed.

2.The learned counsel appearing for the first respondent placing reliance upon the report dated 17.07.2019,would submit that the appeal is pending disposal. The following is the statement made in paragraphs 5 and 6 of the report filed:-

"5.I respectfully submit that the owners of the building at No.97/1 & 92/2, Vaikundapuram 1st Street, Nungambakkam, Chennai - 600 034 Mrs.Onima Nilamudeen and Mrs. Ayisath Nooriya have attend the personal hearing on 21.06.2019 and they have submitted a set of documents in their support. Further they have also stated that they have filed an Appeal dated 30.05.2016 under Section 80-A of Tamil Nadu Town and Country Planning Act, 1971 before the Housing and Urban Development Department and the said appeal is pending before the Housing and Urban Development

Department.

6.I respectfully submit that the Additional Secretary (Technical), Housing and Urban Development Department has conducted personal hearing in the appeal filed by the owners of the building at No.97/1 & 97/2, Vaikundapuram 1st Street, Nungambakkam, Chennai - 600 034 Mrs. Onima Nilamudeen and Mrs. Ayisath Nooriya on 26.03.2019, 10.06.2019 and 11.07.2019. I further submit that order of the same are awaited."

3. In view of the above, we do not find any wilful disobedience of the order passed. Accordingly, the contempt petition stands closed.

सत्यमेव जयते
SD/-

ASSISTANT REGISTRAR (COMM.CASES)

mmi/ssm

//Certified to be true copy//

Dated at Madras this the day of 2019.

COURT OFFICER (O.S.)

from 25th day of September 2008 the Registry is issuing Certified copies of the Orders/Judgments/Decrees in this format.