

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 21.02.2019

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Cont.P.No.279 of 2019

Rangarajan Narasimhan ... Petitioner

Versus

Mr.D.K.Ramachandran
The Commissioner,
Hindu Religious & Charitable Endowments Department
Uthamar Gandhi Salai, Nungambakkam,
Chennai-600 039. ... Respondents

Prayer:- Contempt Petition filed under Section 11 of the
Contempt of Courts Act pleaded to punish the respondent for
willful disobedience of the order dated 22.06.2018 made in
W.M.P.No.30869 of 2017 in W.P.No.37619 of 2015.

For Petitioner : Mr.Rangarajan Narasimhan
For Respondents : Mr.M.Maharaja
Special Government Pleader (HR&CE)

ORDER

[Order of the Court was made by M.SATHYANARAYANAN, J.]

The petitioner, who is appearing as Party-in-Person,
came forward to file this petition, alleging non compliance
and wilful disobedience of the order of interim direction
dated 22.06.2018 made in W.M.P.No.30869 of 2018 in

W.P.No.37619 of 2015.

2. It is the submission of the petitioner / Party-in-Person by drawing the attention of this Court to paragraph No.23 of the order that this Court in the said paragraph made an observation that permission may be granted to carry out the work on the East Parakaram adjacent to Porthamarai Kulam (Golden Lotus Tank) and further made it clear that none of the articles / slabs removed during the course of such repair work / renovation can be used for any other purpose and also taken into consideration the concern expressed that under the guise of putting up new pillars, aesthetic and heritage look of the older structures have not been taken note of and it is also the submission of the petitioner / Party-in-Person that in the light of the apprehension expressed, this Court in the said order has also observed that the renovation / repair shall be carried out in such a way that it should reflect the old grandeur and necessary report shall also be submitted to the above said Expert Committee constituted by this Court, who in turn, shall place before this Court with their remarks.

3. It is the further submission of the petitioner / Party-in-Person that under the guise of putting up new pillars, old glory and grandeur have not been restored and entirely a new structure is placed in violation of

paragraph no.23 of the said order. It is brought to the knowledge of this Court that though this Court directed the Registry to post W.P.No.37619 of 2015 on 09.08.2018 for passing further orders, the said petition has been closed.

4. Mr.M.Maharaja, learned Special Government Pleader appearing for the respondent / Contemnor would submit that since necessary report have to be submitted to the Expert Committee who in turn shall place it before this Court, with their remarks and observations, still it is open to the petitioner / Party-in-Person herein to urge the said issue in the pending W.P.No.37619 of 2015 and would further add that no wilfull disobedience and violation of the order have taken place.

5. This Court has carefully considered the rival submission and also perused the materials placed before it.

6. In the considered opinion of this Court whatever concern expressed by the petitioner with regard to the observation made in paragraph no.23 of the order, would be taken care of in the light of the report to be submitted to the said Expert Committee and at the time of advancing arguments in the writ petition. It is also of the view that this Court merely made an observation as to the preservation of aesthetic and heritage of the olden

structures.

7. In the light of the above, no contempt has been made out and however, the petitioner is at liberty to make a submission in this regard in the pending W.P.No.37619 of 2015 at an appropriate time.

8. Accordingly, the contempt petition stands closed.
No costs.

sk

SD/-
ASSISTANT REGISTRAR (COMM.CASES)

//Certified to be true copy//

Dated at Madras this the day of 2019.

COURT OFFICER (O.S.)

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PS/14/03/2019

To

The Commissioner,
Hindu Religious & Charitable Endowments Department
Uthamar Gandhi Salai, Nungambakkam,
Chennai-600 039.