

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2019

CORAM :

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE
and
THE HONOURABLE MRS.JUSTICE R.HEMALATHA

Contempt Petition No.660 of 2019

Elephant.G.RajendranPetitioner

--Vs--

1. Mrs.Girija Vaithyanathan, IAS
The Chief Secretary
Government of Tamil Nadu,
Secretariat, Chennai 600 009.

2. Mr.Sanjay Mitra, IAS,
The Secretary,
Ministry of Defence,
South Block,
New Delhi.

3. Mr.Sourabh Sood,
The Commander,
Indian Air Force,
Tambaram, Chennai.

4. Thiru.Rajeev Ranjan, IAS
The Secretary,
State Highways Department,
Secretariat, Chennai 600 009.

5. Thiru.P.Ponniah, IAS,
The District Collector,
Kancheepuram District.

6. Thiru.C.Rajkumar,
The Sub Collector,
Tambaram, Chennai.

... Respondents

Contempt Petition filed under Section 11 of the Contempt of Court Act, praying to punish the respondents herein for their deliberate and willful disobedience of the order passed by this Court in W.P.No.25572 of 2017 dated 09.04.2018.

For Petitioner : Elephant G.Rajendran
(Party in person)

For Respondent : Mr.K.Gunasekar
SPCCG for R2 and R3
Mr.M.Elumalai
Government Advocate
for R1, R4, R5 and R6

ORDER

(The order of the Court was made by ABDUL QUDDHOSE, J.)

Mr.M.Elumalai, learned Government Advocate appearing for the respondents 1,4,5 & 6 has submitted a status report as well as typed set of papers filed on behalf of the respondents. As seen from the status report dated 25.11.2019, a Memorandum of Understanding has been arrived between the Government of Tamil Nadu and Indian Air Force regarding transfer of 0.80 acres of land in Survey No.127/B and 131/1 belonging to Air Force Station Tambaram, situated at Anakaputhur Village Alandur Taluk, Kancheepuram District. It is also stated in the status report that the tender notice for the work has also been published by the

<https://hcservices.ecourts.gov.in/hcservices/>
Superintending Engineer (H), NABARD and Rural Roads Circle,
Chengalpattu on 13.11.2019 and tender will be open on

05.12.2019.

2. The learned Central Government Standing Counsel would also submit that lands have been handed over by the Indian Air Force (MoD) (Air Force Station Tambaram) to the State Government of Tamil Nadu as per the Memorandum of Understanding. The Contempt petition was filed on the ground that the bridge has not been constructed despite the order of the Division Bench of this Court dated 09.04.2018 passed in W.P.No.25572 of 2017. In fact only at the request of the petitioner, W.P.No.25572 of 2017 was dismissed as withdrawn. However, the Division Bench of this Court expected that the respondents would complete the land transfer proceedings at an earlier date preferably within six months from the date of receipt of a copy of the order and that the bridge would be constructed at a considerable cost and would be opened in the near future. This Court during the last hearing on 13.11.2019 directed the petitioner to address this Court about the maintainability of the Contempt Petition since the W.P.No.25572 of 2017 was dismissed as withdrawn only at the instance of the petitioner.

3. On perusal of the status report as well as after hearing the submissions made by Mr.M.Elumalai, learned Government Advocate and Mr.K.Gunasekar, learned Central

Government Standing Counsel, it is clear that sufficient progress has been made for completion of the bridge which was the subject matter of the W.P.No.25572 of 2017. This being the case, nothing survives for further adjudication in the contempt petition. Accordingly contempt petition stands closed.

SD/-
ASSISTANT REGISTRAR (COMM.CASES)
dpq

//Certified to be true copy//

Dated at Madras this the day of 2020.

COURT OFFICER (O.S.)

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SMI/27/01/2020

To

1. The Chief Secretary
Government of Tamil Nadu,
Secretariat, Chennai 600 009.

2. The Secretary,
Ministry of Defence,
South Block,
New Delhi.

3. The Commander,
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Tambaram, Chennai.

4. The Secretary,
State Highways Department,
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5. The District Collector,
Kancheepuram District.
6. The Sub Collector,
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