

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 26.06.2019

CORAM

The Hon'ble Mr. Justice **M.M.SUNDRESH**  
and  
The Hon'ble Mr. Justice **M.NIRMAL KUMAR**

Cont.P.3028 of 2016  
and Sub Application No.686 of 2016

J.Thirukumaran ... Petitioner

vs.

1.Mr.A.Karthik, I.A.S.,  
The Chennai Metropolitan Development Authority,  
rep.by its Member-Secretary,  
Thalamuthu Natarajan Buildings,  
No.1, Gandhi-Irvin Road,  
Egmore, Chennai - 600 008.

2.Mrs.Sasikala  
The Commissioner,  
Kundrathur Panchayat Union at Padappai,  
Padappai-601 301.  
Sriperumbudur Taluk, Kancheepuram District.

3.D.Ramani,  
W/o.Late K.Dakshinamoorthy,  
Old No.2/173, New No. 2/151, Anna Main Road,  
Kolapakkam Village,  
Chennai 600 122.

4.D.Sudhakaran,  
s/o.Late K.Dakshinamoorthy,  
Old No.2/173, New No. 2/173, Anna Main Road,  
Kolapakkam Village,  
Chennai 600 122.

.. Respondents

Petition filed under Section 11 of Contempt of Courts

Act to punish the respondents for willful disobedience of

<https://hcservices.ecourt.gov.in/hcservices/> passed in W.P.No.10734 of 2015 dated 15.04.2015.

For Petitioner .. B.Dayaalan  
 For R1 .. Mr.P.S.Ganesh  
 For R2 .. Mr.M.Elumalai,  
 Government Advocate

**JUDGMENT**

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

Alleging that the Order passed by this Court in W.P.No.10734 of 2015 dated 15.04.2015 has been violated, the present Contempt Petition has been filed.

2. We have perused the records. It appears that notice was issued by the second respondent to remove the unauthorized construction. Thereafter, a communication was sent on 31.08.2017 by the Commissioner, Kunrathur Panchayat Union to the District Collector and the Assistant Director, Kancheepuram to give police protection. The aforesaid order has been challenged by the private respondents herein by way of Writ Petition in W.P.No.24288 of 2017 and an Order was passed by the Division Bench of this Court on 08.09.2017.

3. In the light of the above, we do not find any willful disobedience of the Order passed by this Court as against the officials, admittedly, they have taken action and that was also put into challenge and thereafter, order

has been passed by this Court.

4. In such view of the matter, the contempt petition is closed. However, liberty is given to the petitioner to work out his remedy in accordance with law.

5. The learned counsel for the petitioner submitted that a petition has been filed to modify the order passed by the Division Bench of this Court. We make it clear that we have not expressed any opinion on the merits of the said modification petition.

6. Consequently, connected Sub Application is closed.

SD/-

ASSISTANT REGISTRAR (COMM.CASES)

smv

//Certified to be true copy//

Dated at Madras this the day of 2019.

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COURT OFFICER (O.S.)

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Mv/19/07/2019