

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.04.2019

Coram

The Hon'ble Mr. Justice **M.M. SUNDRESH**
and
The Hon'ble Mr. Justice **C. SARAVANAN**

Cont. Petition No.1948 of 2018

M.Krishna Dass ... Petitioner

vs.

Karthikeyan,
The Commissioner,
Greater Chennai Corporation,
Ripon Buildings, Chennai - 3. ... Respondent

Petition filed under Section 11 of Contempt of Courts Act to punish the respondent for having committed contempt by negligently and deliberately disobeying the orders of this Court dated 01.09.2016 in W.P.No.30542 of 2016.

For Petitioner ... Mr.A.Suresh

For Respondent .. Mr.K.Soundararajan,
Govt. Advocate

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ORDER

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

Alleging that the order dated 01.09.2016 made in

W.P.No.30542 of 2016 has not been complied with, the

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present contempt petition has been filed.

2. When the matter is taken up for hearing, learned Government Advocate appearing for the respondent submitted that the order of this Court has been complied with and an affidavit to that effect has also been filed. In paragraph 4 of the affidavit, it has been stated as under:

4. I submit that before the above said direction, on the basis of the RTI application filed by the petitioner about the usage of the building as a lodging house by converting the residence at Door No.8, Neelakantha Mehta Street, T.Nagar, Chennai - 17, a notice calling for the approved plan was issued on 07.12.2016. I submit that the owner of the building submitted the copy of the planning permission issued for the residential building. I submit that since the building is used as a commercial one, a further notice of locking and sealing and demolition notice was issued on 02.08.2017. I submit that subsequently, the person who was running a lodging house has vacated the premises. I submit that subsequently, another entity in the name of Shylee Nivas, a service apartment was run in the same building. I submit that, thereafter, the officials of the Corporation personally informed the person who was running the service apartment about the order of the Hon'ble Court and they also vacated the building. I submit that as on today, the building is used only as a residential building and no commercial activity is being carried out.

3.In such view of the matter, we are of the view that there is no wilful disobedience of the order passed by this Court and the contempt petition stands closed.

mmi

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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Sd/20/05/2019

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