

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.07.2019

Coram

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

Contempt Petition No.1041 of 2014

Alappakkam Pavendar Bharathidasan Nagar
Kudiruppor Pothu Nala Sangam,
Rep., by its President A.Siddque,
No.2, Siddique Bhai Salai,
Bharathidhasan Nagar,
Alappakkam, Porur, Chennai-116.

.. Petitioner

Vs.

1.Vikram Kapur,
The Commissioner,
Corporation of Chennai,
Rippon Building, Chennai-3.

2.M.K.Diwakar,
The Revenue Officer,
Corporation of Chennai,
Zone-II, Ward No.146,
Valasaravakkam, Chennai.

3.Mr.Grethar Rajan,
The Assistant Revenue Officer
Corporation of Chennai,
Zone-II, Ward No.146,
Valasaravakkam, Chennai.

4.Jeevanandam @ Jeeva,
Member of Council,
Ward No.146, Zone-II,
Corporation of Chennai,
Valasaravakkam, Chennai.

.. Respondents

Contempt petition is filed under Section 11 of the Contempt of Courts Act, 1971, to punish the respondents for willfully violating the orders of this court in M.P.No.1 of 2012 in W.P.No.34746 of 2012 dated 21.01.2013.

For petitioner : Mr.V.Manohar
 For respondent : Mr.N.Soundararajan for R1 to R3
 No appearance for R4

ORDER

Alleging that the order dated 21.01.2013 passed in M.P.No.1 of 2012 in W.P.No.34746 of 2012 has not been complied with, the present contempt petition has been filed.

2.In paragraphs 7 and 8 of the affidavit filed, the following statement has been made.

"7. I submit that when the Bharathidasan Nagar was under the jurisdiction of the then Maduravoyal Municipality, Street names were given to each street and the same were painted on the corner house walls of the streets. I submit that when the Chennai Corporation Municipal area was extended, the then Maduravoyal Municipality has been annexed to Chennai Corporation area during the year 2011 and thereafter the Maduravoyal Division comes under our control. I submit that while taking over the then Maduravoyal Municipal

area, no change of street names has been made by us but erected sign boards containing the old street names written on the corner walls of the streets. I submit that the street names found place in the Boards are not new names but the existing names were written in sign boards.

8. I submit that the petitioner's allegations contained in Para Nos.5 and 6 are not in our knowledge and in fact even before the then Maduravoyal Municipality, the same has not been brought to their knowledge in order to have the names approved by the CMDA as contended by the petitioner. I submit that it is not correct to state that the street names were newly given as per the wish of the 4th Respondent herein. I submit that in support of our contentions that we have not changed the names of the streets, the Voter List prepared for the 2011 Tamil Nadu Legislative Assembly election would amply prove that the street names of the said Bharathidasan Nagar contains only the names written on the walls which was written in sign boards now. I submit that even before the filing of the writ petition, the street names were painted on the walls by the then Municipality which was not objected by the petitioner. I submit that further the Property Tax Assessment details of the Corporation of Chennai relating to Ward No.146, Zone-II (Maduravoyal) discloses that the contentions made by the petitioner is not correct. I further submit that even the Ration Cards issued by the Government to the general public in the Bharathidasan Nagar Area would establish that no change of street names has been made by us as alleged by the petitioner."

3. In view of the same, we do not find any willful disobedience of the order passed. Accordingly, the contempt petition stands closed. All the issues are left open to the petitioner to be agitated in the pending writ petition. It is open to the petitioner to implead the Maduravoil Municipality as party respondent in the pending writ petition.

SD/-

ASSISTANT REGISTRAR (COMM. CASES)

raa

//Certified to be true copy//

Dated at Madras this the day of 2019.

COURT OFFICER (O.S.)

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Sim/29/07/2019

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