

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2019

CORAM

THE HONOURABLE MR. **JUSTICE M.M.SUNDRESH**
AND

THE HONOURABLE MR. **JUSTICE RMT.TEEKAA RAMAN**

Contempt Petition No.1668 of 2017
& Sub Application No.468 of 2018

S.P.Munusamy Nagar Kudiyrupor
Podhu Nala Sangam (S.P.Munusamy
Nagar Resident's General Welfare Association)
Represented by its Vice President P.Karunakaran,
Plot No.5, 5th Street, S.P.Munusamy Nagar,
Pethikuppam Village, Gummidipoondi Taluk
Thiruvallur District.

.. Petitioner in Cont.Petition and
1st respondent in Sub Application

Nagajothi,
W/o.Palswamy,
31/12, Kambar Street,
Kumaran Nagar,
Extension I, Padi,
Chennai 600 050.

.. Applicant in Sub Application

Vs.

1.Rajagopal,
The Tahsildar,
Gummidippoondi Taluk,
Thiruvallur District.

2.G.Dhatchinamoorthy,
The Divisional Executive Engineer,
Highways Department,
Thiruvallur, Thiruvallore District.

... Respondents 1 and 2 in Contempt Petition/
Respondents 2 and 3 in Sub Application

Contempt petition is filed under Section 11 of the Contempt of Courts Act, 1971, to punish the respondents herein for willful disobedience of the order dated 23.03.2017 made in W.P.No.7038 of 2017.

For petitioner : Mr.D.Dayanithi in Contempt Petition

For respondents : Mr.P.S.Sivashanmugasundaram
Special Government Pleader

For Petitioner : No Appearance in Sub Application

For respondents : Mr.D.Dayanithi
for R1 in Sub Application
Mr.P.S.Sivashanmugasundaram
Special Government Pleader
For R2 and R3 in Sub Application

O R D E R

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

Alleging that the order passed by this Court dated 23.03.2017 in W.P.No.7038 of 2017 has not been complied with by the contemnor, the present contempt petition has been filed.

2. The learned Special Government Pleader appearing for the respondents would submit that initially no action was taken in view of the pendency of the civil suit. However, on the action taken subsequently, the wife of the encroacher has filed the writ petition in W.P.No.20513 of 2018, which was dismissed by the Division Bench of this Court on 11.12.2018. Therefore, appropriate action would

be taken to remove the encroachment.

3. Though an application for impleadment has been filed by the very same person P. Nagajothi, there was no appearance on his behalf. Even otherwise, the order of the Division Bench dated 11.12.2018 would non suit her to make the contention being binding on her.

4. Recording the statement of the learned Special Government Pleader, this contempt petition stands closed. Consequently, impleading application stands dismissed.

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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Mv/19/07/2019

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