

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.01.2019

CORAM

THE HON'BLE Mr. JUSTICE **M.M. SUNDRESH**
and
THE HON'BLE Mr. JUSTICE **M. SUNDAR**

Cont.P.No.1780 of 2017

M.V.Kamini Devi ...Petitioner

Vs.

Mr.C.Vijayaraj Kumar, I.A.S.,
Member Secretary,
Chennai Metropolitan Development Authority
No.1, Gandhi Irwin Road,
Egmore, Chennai - 8.Respondent

Petition filed under Section 11 of Contempt of Courts
Act to punish the respondent herein for his wilful
disobedience and non-compliance of the orders of this Court
made in W.P.No.9592 of 2017 dated 20.04.2017.

For Petitioner ... No appearance

For Respondent .. Mr.Karthik Rajan

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ORDER

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

Alleging that the order dated 20.04.2017 passed by
this Court in W.P.No.9592 of 2017 has not been complied
with, the present contempt petition has been filed.

2.On the last occasion, we directed the contemnor to file an affidavit. Accordingly, an affidavit has been filed with the following averments:

9.It is respectfully submitted that the delay in implementing the order is only due to administrative reasons and procedures needed to be followed and not otherwise. The respondent has absolutely no intention to delay the implementation of the order and this respondent tenders his unconditional apology for any delay in implementing the order.

10.Subsequently Thiru.M.G.Rajamani has preferred an appeal to Government under Section 80-A of the T & CP Act, 1971 to de-seal his building under reference so as to rectify the building and also to demolish the deviated portion.

11.It is submitted that Government in Lr.No.7501/UD-VII(2)/2018-1 dated 18.07.2018 granted three months time to rectify the variations in the building to bring in conformity with development regulation, subject to condition that during the said period, the building shall not be put to use/occupy and informed CMDA to de-seal the building under reference for a period of three months.

12.As per the above Government letter, the building under reference was de-sealed on 17.10.2018 at 11.00 a.m. in the presence of

Thiru.M.G.Rajamani (owner of the building under reference) to rectify the deviations/violations in the building to bring in conformity with DR for the period of three months.

3.In such view of the matter, we do not find any wilful disobedience of the order passed by this Court. Accordingly, the contempt petition stands closed.

SD/-

ASSISTANT REGISTRAR (COMM.CASES)

mmi

//Certified to be true copy//

Dated at Madras this the day of 2019.

COURT OFFICER (O.S.)

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