

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2019

CORAM

**THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN**

Contempt Petition No.230 of 2017
and
Sub Application No.34 of 2017

Kazura Garden Welfare Association,
A Society Registered under the Societies
Registration Act, 1896,
Rep., by its Secretary,
No.2/739, 6th Cross Street,
Kazura Garden Neelankarai,
Chennai-600 041.

.. Petitioner/Petitioner in
both Contempt Petition / Sub Application
-vs-

1.R.Gajalakshmi, I.A.S.,
The District Collector,
Kancheepuram District,
Kancheepuram.

2.S.Jayakumar, The Tahsildar,
Shozhinganallur, Kanchipuram Taluk,
Chennai-600 119. .. Respondents/Respondents
in both Contempt Petition / Sub Application

Petition under Section 11 of the Contempt of Courts
Act, 1971, to punish the respondents for having committed
contempt of this Court's order passed in W.P.No.21375 of
2010, dated 09.06.2015 and punish them for disobedience in
accordance with law.

Sub Application No.34/2017:

To grant an order of interim direction directing the respondents 1 and 2 to forthwith remove the encroachments as decided in the proceedings of the 1st respondent dated 27.10.2015.

For Petitioner : Mr.Rahul Balaji
For Respondents : Mr.M.Elumalai,
Government Advocate

ORDER

(Order of the Court was made by T.S.Sivagnanam, J.)

This contempt petition has been filed alleging willful disobedience of the order dated 09.06.2015 passed in W.P.No.21375 of 2010.

2.Mr.R.Mani Sekar, Deputy Tahsildar, Sholinganallur, and the Revenue Inspector are present before this Court and it is pointed out that the entire encroachments have been demolished.

3.From the photographs produced before us, we find that the debris is yet to be removed and we are informed by the Deputy Tahsildar that they have requested the Greater Chennai Corporation to remove the debris.

4.In our considered view that will not happen immediately. Therefore, we direct the petitioner-Association to co-ordinate with the Revenue officials and assist them in removing the debris. Thereafter, the Revenue officials should ensure that the area is restored as a water body and the public of the locality shall also be involved in the restoration of the water body. If there are any other encroachments in the road area, etc., the same to be removed.

5.From the photographs, we find that there is an arch erected by the developer of the layout. It is not clear as to whether any permission has been obtained for the erection of the arch. If no permission is obtained, the arch shall be demolished and cost be recovered from the petitioner.

6.With the above direction, this contempt petition is closed. No costs. Consequently, connected sub application is closed.

SD/-
ASSISTANT REGISTRAR (COMM.CASES)
abr

//Certified to be true copy//

Dated at Madras this the day of 2019.

COURT OFFICER (O.S.)

from 25th day of September 2008 the Registry is issuing Certified copies of the Orders/Judgments/Decrees in this format.

Smi/24/09/2019

To

1. The District Collector,
Kancheepuram District,
Kancheepuram.
2. The Tahsildar,
Shozhinganallur, Kanchipuram Taluk,
Chennai-600 119.