

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.04.2019

CORAM:

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

Cont.P.No.2459 of 2018

Chennai Nerkundram Reddy
Welfare Association,
Rep by its Secretary, M.Vasu Reddy,
No.4, Reddy Street,
Nerkundram, Chennai - 600 107.

... Petitioner

Vs.

1. Dr.D.Karthikeyan, I.A.S.,
The Commissioner,
Corporation of Chennai,
Rippon Buildings,
Chennai - 600 003.
2. Mr.Ashok Dongre, I.A.S.,
The Managing Director,
Chennai Metropolitan Water Supply
and Sewerage Board, No.1,
Pumping Station Road,
Chennai - 600 002.
3. Mr.K.K.Suresh Babu,
The Executive Engineer - I/c
Chennai Metropolitan Water Supply
and Sewerage Board, No.1,
Pumping Station Road,
Chindadripet, Chennai - 600 002.

... Respondents

PRAYER: Contempt Petition filed under Section 11 of the Contempt of the Courts Act praying to punish the respondents in accordance with law for non compliance of the order passed by this Hon'ble Court in W.P.No.21132 of

2015 dated 21.09.2015.

For Petitioner : Mr.S.Parthasarathy

For Respondent : Mr.K.Soundararajan,
Standing Counsel (for R.1)
Mr.G.Janakiraman
(for R.2 & R.3)

ORDER

Heard Mr.M.Parthasarathy, learned counsel for the petitioner and Mr.K.Soundararajan, learned standing counsel for the first respondent and Mr.G.Janakiraman for second and third respondents.

2. The present Contempt Petition has been filed pointing out two aspects namely with regard to width of the road and with regard to construction of overhead tank and pond in Sy.No.81/1 at Narkundram Village, Maduravoyal Taluk, Thiruvallur District to perform last rites.

3. So far as, width of road is concerned, an affidavit has been filed by the Commissioner stating that width of the road is 20 feet. The learned counsel for the petitioner submits that petitioner is satisfied with this and their main grievance is, with regard to the construction of overhead tank and pond and other facilities to perform last rites.

4. The Executive Engineer, CMWSSB, Chennai has filed a report and he is also present in the Court. The report and states as follows:

"6. I submit that the estimate balance works was prepared at a cost of Rs.17.28 Cr and the Revised Administrative sanction was accorded by the CMWSSB vide resolution No.66/2017 dated 31.10.2017. There was no response for the first call for tender on 16.07.2017. Subsequently due to implementation of GST, the estimates of balance works had to be revised for new rates with GST. The tender was called for the second time and the work has been awarded to M/s.VVV Construction Pvt. Ltd., at a contract value of Rs.15.45 Cr on 08.06.2018 with a contract period of 15 months and the works are under progress. The works commenced on 16.08.2018 and the scheduled date of completion is 15.11.2019 for overhead tank in all respects and further 6 months for completing ponds and obsequies ceremonies platform. Hence entire work will be completed on 15.05.2020 and the possession will be handed over to the HR&CE Department."

5. Considering the fact that the work has already commenced and scheduled to be completed by 15.11.2019, in respect of overhead tank and other works are to be completed by 15.05.2020, we place the above report on record and close the contempt petition. However, if the respondent do not

adhere to the time schedule, liberty is granted to the petitioner to file a petition before this Court for re-opening the Contempt Petition.

6. In the result, the Contempt Petition is closed. No costs.

SD/-

ASSISTANT REGISTRAR (COMM.CASES)

mrm

//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.

ss/30/04/2019

To

1. The Commissioner,
Corporation of Chennai,
Rippon Buildings,
Chennai - 600 003.
2. The Managing Director,
Chennai Metropolitan Water Supply
and Sewerage Board, No.1,
Pumping Station Road,
Chennai - 600 002.
3. The Executive Engineer - I/c
Chennai Metropolitan Water Supply
and Sewerage Board, No.1,
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