



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.09.2019

C O R A M

WEB COPY

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

CONT.P.(MD)No.1257 of 2019 in
W.P.(MD)No.4346 of 2019

T.V.Balakrishnan

... Petitioner/Petitioner

Vs.

G.Balachandran,
Commissioner in-charge,
Dindigul City Municipal Corporation,
Corporation Office,
Dindigul.

... Contemnor/Respondent

Common Prayer: Contempt Petition is filed under Section 11 of the Contempt of Courts Act, 1971, to punish the contemnor/respondent for willfully disobeying the orders passed by this Court in W.P.No.4346 of 2019 dated 25.04.2019.

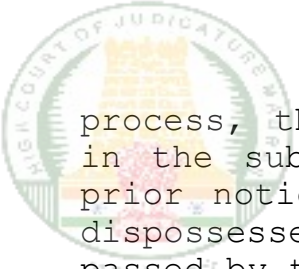
prayer in WP(MD)No.4346/2019

Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records in Na.Ka.No.10193/2014/m7 dated 20.02.2019 of the respondent and to quash the same as illegal contrary to Law and consequently, to direct the respondent to extend the lease period from 26.02.2019 to 25.02.2022 in respect of the 26 rooms located in the 1st and 2nd Floors in Kamarajar Bus Stand, Dindigul.

For Petitioner : Mr.A.R.Sethupathy
For Respondent : Mr.J.Lawrance

O R D E R

The petitioner filed the writ petition challenging the eviction order. He also wanted extension of the lease period. But then, an undertaking was given that possession would be surrendered, when the tender process is concluded. It is alleged that without any prior notice, the officials of the respondent closed his premises. Hence, the petitioner is constrained to file this contempt petition.



process, the possession was taken. There is considerable substance in the submission made by the petitioner's counsel. Without any prior notice, he was uncereemoniously and summarily thrown out and dispossessed. But there is no willful disobedience of the order passed by this Court.

3. It is open to the petitioner to submit an application to the respondent Corporation for allotment of a shop that may be constructed in the proposed blocks. On receipt of such application received, the respondent is directed to consider the same on merits and in accordance with law. The petitioner's advance amount appears to be lying with the respondent. It can of course be proportionately adjusted.

4. With this observation, the Contempt petition stands closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar(CS)

pmu

To

The Commissioner
Dindigul City Municipal Corporation,
Corporation Office,
Dindigul.

+1 CC to M/s.T.R. SUBRAMANIAN, Advocate (SR-87774[F] dated 19/09/2019)

+1 CC to M/s.J.LAWRANCE, Advocate (SR-88010[F] dated 20/09/2019)

CONT.P.(MD)No.1257 of 2019 in
W.P.(MD)No.4346 of 2019
19.09.2019

SMA/16/12/19/2P/4C