

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.02.2020

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR. JUSTICE R.HEMALATHA

Cont.P.No.2010 of 2019

N.Jyothi Selvam

.. Petitioner

Versus

1.S.Baskaran

The Zonal Officer, Zone XV,
Corporation of Chennai,
Sholinganallur,
Chennai 600 119.

2.Yohu Gnanaprakasam

(suo motu impleaded as 2nd respondent)

as per the order dated 13/01/2020 in Contempt Petition No.2010/19)

.. Respondents

Prayer:- Contempt petition filed under section 11 of the Contempt of Court Act, 1971, to punish the respondent for having committed contempt of court by wilfully disobeying the order of this Court dated 15.11.2017 made in W.P.No.20992 of 2017 on the file of this Court.

For Petitioner : Mr.J.Sudhakaran
For Respondents : Mr.P.Rajasrinivas
Standing Counsel for Corporation

ORDER

[Order of the Court was made by M.SATHYANARAYANAN, J.,]

This Court, in continuation and in conjunction with the earlier orders, is passing the following order.

2. Counter affidavit of the Assistant Commissioner, Zone XIV, Corporation of Chennai, dated 22.02.2020 has been filed with supporting documents and photographs.

3. The learned counsel appearing for the petitioner would submit that pursuant to the series of orders passed by this Court, encroachments and offending constructions have been removed and further add that a Suit filed by the private respondent is nothing but a frivolous one and also against the death person.

4. This Court heard the submission of the learned Standing Counsel appearing for the Corporation of Chennai as well as the learned counsel appearing for the 2nd respondent.

5. This Court, taking into consideration the contents of the counter affidavit dated 22.02.2020 as well as the supporting photographs, is of the view that the encroachments and the offending constructions have been removed and paragraph no.18 of the counter affidavit also contains the names of the officials, who worked as Zonal Officers, Zone XV, Corporation of Chennai, Chennai 600 119, from 2017 to till date.

6. It is to be observed at this juncture that as and when representations are received as to the unauthorised erection / deviated constructions of superstructures and removal of encroachments, the jurisdictional officials of Corporation of Chennai are under statutory obligation and responsibility to give a response to the said representations and they cannot expect the intervention of this Court at every time, when their lapses are being pointed out by this Court in the form of Writ Petitions. The Commissioner, Greater Chennai Corporation, is also directed to endeavour attention in this regard and if the said official notices any infractions, lack of responsibilities, deliberate inaction in performance of duties, shall initiate appropriate action, which may include departmental action also, against the erring officials.

7. In the result, the Contempt Petition is closed subject to above observations. Counter affidavit is taken on file and recorded.

SD./-

ASSISTANT REGISTRAR(COMM.CASES)

sk

//Certified to be true copy//

Dated at Madras this the day of 2020.

COURT OFFICER(O.S.)

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SMI/09/06/2020

To

1. The Commissioner,
Greater Chennai Corporation,
Chennai.

2. The Zonal Officer,
Zone XV,
Corporation of Chennai,
Sholinganallur,
Chennai 600 119.

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