

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.01.2020

CORAM

THE HON'BLE MR.JUSTICE M.SATHYANARAYANAN

CONT.P.NO.151 OF 2017

Rama Suresh

President,

(Amended as per order dated
19.3.2019 made in Sub.Appln.

No.670 of 2018)

South Breeze Apartment Owner's

Welfare Association,

HIG-54/24, South Avenue,

Kamaraja Nagar, Thiruvanmiyur,

Chennai 600 041.

... Petitioner

Vs.

Mr. Thiagarajan,

The Executive Engineer,

Tamilnadu Housing Board,

Besant Nagar-Division,

No.48, Dr. Muthulakshmi Salai,

Adyar, Chennai-20.

... Respondent

Contempt Petition filed under section 11 of Contempts of Court Act

to punish the respondent for having wilfully disobeyed the order passed by

this Court in W.P.No.17400 of 2016 dated 1.6.2016.

For Petitioner : Mr. D.Rajagopal

For Respondent : Mr.Bharathkumar

ORDER

Heard the learned counsel appearing for the petitioner and learned counsel appearing for the respondent/contemner. Mr.S.Ramakrishnan, learned Standing Counsel appearing for Tamil Nadu Housing Board also remains present before this Court for rendering necessary assistance.

2. It is represented that a purchaser, who was allotted a Flat bearing No.13, Ground Floor, Block No.H54, South Breeze Apartment, South avenue, Kamaraja Nagar, Thiruvannamiyur, though cleared the payment, did not collect the sale deed.

3. Learned Standing Counsel appearing for Tamil Nadu Housing Board would submit that as on date, the title documents are with the Tamil Nadu Housing Board and that the purchaser is yet to get the sale deed executed by the Tamil Nadu Housing Board. He would further add, on instructions, that if either the petitioner Association or the Corporation of Chennai approaches the Tamil Nadu Housing Board for demolition of the said dilapidated superstructure, they will fully cooperate for the same.

4. Learned counsel for the petitioner would submit that in this regard, the Welfare Association has also submitted a representation dated 5.12.2019

in person to Commissioner, Greater Chennai, Chennai Corporation and their response is awaited.

5. In the light of the above said development, no further orders in this contempt petition is necessary, however, the petitioner Association is at liberty to submit a detailed representation to the jurisdiction official/Engineer of Greater Chennai Corporation with a copy marked to the Tamil Nadu Housing Board for demolition of the said superstructure and as and when such representation is received, the concerned officials of Corporation of Chennai are directed to accord priority and give a disposal of the same as expeditiously as possible especially taking into consideration the fact that the superstructure sought to be demolished is under highly dilapidated condition.

6. In the result, the contempt petition is closed.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

msr

//Certified to be true copy//

Dated at Madras this the day of 2020.

COURT OFFICER(O.S.)

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Smi/28/02/2020

To

1.The Commissioner,
Greater Chennai City Corporation.

2. The Executive Engineer,
Tamil Nadu Housing Board,
Besant Nagar Division,
No.48, Dr.Muthulakshmi Salai,
Adayar,
Chennai 600 020.



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