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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.01.2020

CORAM:

THE HONOURABLE **MR. JUSTICE D. KRISHNAKUMAR**

Contempt Petition Nos.2092, 2098 and 2102 of 2019

R. Gunasekaran ..Petitioner in Cont.P.No.2092/2019

1.P.Ramachandran

2.R.Sakunthala ..Petitioners in Cont.P.No.2098/2019

1.S.Saravanan

2.V.Jagadeesan

3.A.Subramaniam

4.J.N.Dhamodharan

5.S.Rama Subramanian

6.B.Jayachandran

7.J.Dhanalakshmi

8.C.Edwin Rabi Kumar

9.K.Karunakaran

10.P.Rajan

11.V.Sowmya

12.D.Lakshmi

13.C.Kandaswamy

14.G.Raveendran

15.S.Santhi

16.K.Rajeshwari

17.G.Sathish Kumar

18.K.R. Chinnaswamy

19.Rajammal

20.S.Punithavalli

21.P.Mercy

22.P.Venkatesh Babu ... Petitioners in Cont.P.No.2102/2019

Vs

1.S.K.Prabhakar,

Secretary,

The State of Tamil Nadu,

Highways & Small Ports (HQ-2) Department,

Secretariat, Fort St. George,

Chennai-600 009.

2.Ramadurai Murugan

The District Revenue Officer,

Coimbatore District,

Collectorate Complex,

Hosur Road,

Coimbatore-641 018.



3.T.Nabisabeevi,
The Divisional Engineer (H),
(NABARD & Rural Roads),
Highways Department,
Highways Complex, Trichy Road,
Coimbatore-641 018.

4.Er.Selvan, M.K.
The Chief Engineer (H),
(NABARD & Rural Roads)
Highways Department,
Chennai-600 032.

..Respondents in Cont.Petn Nos.2092, 2098 &
2102 /2019

5.V.K. Jeyakodi ..5th Respondent in Cont.P.No.2098/2019

Common Prayer:- Contempt Petition is filed under Section 11 of Contempt of Court Act, 1971 to punish the respondents for not obeying the order dated 25.02.2019 made in W.P.Nos.4994 of 2015 in Cont.P.No.2092 of 2019, 5454 of 2015 in Cont.P.No.2098 of 2019 and W.P.No.12617 of 2014 in Cont.P.No.2102/2019 passed by this Court.

For Petitioners : Mr.R. Dhanaram
(in all Cont.Ps)

For Respondents : Mr.M. Elumalai
(in all Cont.Ps) Government Advocate

COMMON ORDER

The learned counsel appearing for the petitioners submitted that Joint Compromise Memo was entered into between the petitioners as well as the respondents/Highways Department. The said Joint Compromise Memo dated 25.02.2019 is placed on record. Recording the same, the writ petitions are disposed of.



2. According to the petitioners, pursuant to the Joint Compromise Memo, dated 25.02.2019, the respondent has not complied with the order passed by this Court in W.P.Nos.4994 & 5454 of 2015 and 12617 of 2014 dated 25.02.2019. Hence, the petitioners have come forward with the present contempt petitions before this Court.

3. Counter affidavit has been filed by the respondents, wherein it is stated that pursuant to the order dated 25.02.2019, proceedings are initiated to finalise the acquisition process in terms of the said order. In this regard, on 14.08.2019 another meeting was convened under the Chairmanship of Hon'ble Minister for Revenue and Joint Commissioner, Land Administration, Chennai and again on 16.08.2019, another meeting was convened by the Deputy Commissioner, Land Administration, Chennai. The petitioners were also intimated properly. Though the petitioners appeared for the meeting, they did not give the individual consent in the requisite forms for the purpose of getting approval from the Government through CLA. Thereafter, on 19.08.2019, another meeting was convened by the District Revenue Officer and even in that meeting, the petitioners did not give their individual consent letters. On 25.09.2019, all the petitioners were intimated by way of communication, in and by which, they were required to give their individual consent letter



communication. However, till today, the petitioners have not come forward to give the individual consent letters, which is a mandatory one for the purpose of sending proposals to the Commissioner of Land Administration in order to get the necessary sanction for the compensation.

4. Heard Mr.R. Dhanaram, learned counsel appearing for the petitioners and Mr.M. Elumalai, learned Government Advocate appearing for the respondents and perused the materials available on record.

5. The respondents have also filed an application to notify the earlier order for the non-cooperation of the petitioners. According to the respondents, the contention of the petitioners is incorrect.

6. The learned Government Advocate appearing for the respondents would submit that if the petitioner has given the individual consent letter to the second respondent and the second respondent will act in accordance with the terms and conditions of the Joint Compromise Memo dated 25.02.2019. On instructions, the learned Government Advocate and the learned counsel appearing for the petitioner have agreed that the individual petitioners will appear before the second respondent on 22.01.2020 between 10.00 a.m. and 12.00 noon and submit an individual consent letter to the second respondent as per the terms and



7. It is submitted that already a consent letter was submitted to the second respondent but the said fact was disputed by the second respondent. Therefore, the petitioners have to submit a fresh individual consent letter to the second respondent on 22.01.2020 between 10.00 a.m. and 12.00 noon in the second respondent's office. If any such individual consent letter is submitted by the petitioners, the second respondent has to give an undertaking that they would proceed in accordance with the terms and conditions of Joint Compromise Memo dated 25.02.2019 and settle the amount to the petitioners within a period of ten weeks from 22.01.2020.

8. With the above observations, the Contempt Petitions stand closed.

SD/-

ASSISTANT REGISTRAR (COMM.CASES)

//Certified to be true copy//

Dated at Madras this the day of 2020.

COURT OFFICER (O.S.)

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Nrk/CO/21/01/2020



To

WEB COPY

1. The Secretary,
The State of Tamil Nadu,
Highways & Small Ports (HQ-2) Department,
Secretariat, Fort St. George, Chennai-600 009.
2. The District Revenue Officer,
Coimbatore District, Collectorate Complex,
Hosur Road, Coimbatore-641 018.
3. The Divisional Engineer (H),
(NABARD & Rural Roads),
Highways Department,
Highways Complex, Trichy Road,
Coimbatore-641 018.
4. The Chief Engineer (H),
(NABARD & Rural Roads)
Highways Department, Chennai-600 032.
5. The Commissioner of Land Administration,
Ezhilagam, Chennai-600 005.