

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2021

CORAM:

**THE HON'BLE MR. JUSTICE M.DURAI SWAMY
AND
THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI**

Contempt Petition No.145 of 2020 and
Sub Application No.221 of 2020
in W.P.No.12609 of 2017

K.B. Rajendran,
Old No.25-A, New No. 32,
Dr. Ambedkar First Street,
Villivakkam, Chennai – 600 049

... Petitioner
(Party-in-Person)

1. Thiru. Rajesh Lakhoni I.A.S.,
Principal Secretary to Government,
Housing and Urban Development Dept.,
Secretariat,
Chennai - 600 009.

2. Thiru. Prakash Govindasamy, I.A.S.,
The Commissioner,
The Greater Corporation of Chennai,
Rippon Buildings,
Chennai - 600 003.

... Respondents

Prayer: Contempt Petition filed under Section 11 of Contempt of Courts Act to punish the respondent for willfully, knowingly and deliberately disobeyed the orders in the W.P.No. W.P.No.12609 of 2017 dated 02.04.2019

For Petitioner : K.B. Rajendran (Party-in-Person)

For Respondent : Mr. M. Elumalai,
Additional Government Pleader - R1

Mr. K. Raja Srinivas,
Standing Counsel - R2

ORDER

(Order of the Court made by M.DURAI SWAMY,J.)

The petitioner has filed the above Contempt Petition to punish the respondents for non compliance of the order passed in W.P.No.12609 of 2017, dated 02.04.2019.

2. Heard the petitioner in person. Mr. K. Raja Srinivas, learned Standing Counsel appearing for the 2nd respondent submitted that originally, the building was locked and sealed on 26.03.2016 and thereafter, the owner of the property obtained an order for de-sealing and de-locking the premises to rectify the defects within six months. Accordingly, the premises was de-sealed and de-locked on

24.07.2017. Further, the learned Standing Counsel submitted that since the 3rd

respondent in Sub Application No.221 of 2020 failed to rectify the defects, the building was again sealed and locked on 12.11.2018.

3. It is brought to the notice of this Bench that the 3rd respondent filed another Writ Petition in W.P.No.6511 of 2020 and the Hon'ble Division Bench of this Court granted an order of interim stay in respect of demolition alone. Further, it is brought to the notice of this Bench that the appeal filed by the 3rd respondent under section 79 of the Tamil Nadu Town and Country Planning Act was also rejected by order dated 13.08.2019 by the 1st respondent.

4. Since it is represented by the learned Standing Counsel appearing for the 2nd respondent that as of today the building is locked and sealed, we do not find any reason to keep the Contempt Petition pending. Accordingly, the Contempt Petition is closed. No costs. Consequently, the connected Sub Application is also closed.

SD/-
ASSISTANT REGISTRAR(COMM. CASES)

RJ

//Certified to be true copy//

Dated at Madras this the day of 2020.

COURT OFFICER(O.S.)

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GS/15/04/2021

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To

1.The Principal Secretary to Government,
Housing and Urban Development Dept.,
Secretariat,
Chennai - 600 009.

2. The Commissioner,
The Greater Corporation of Chennai,
Rippon Buildings,
Chennai - 600 003.



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