

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2021

CORAM:

THE HONOURABLE **Mr. JUSTICE S.S.SUNDAR**

Cont.P. No.1470 of 2016

Ezhil Nagar Welfare Association,  
Rep. by its President,  
T.Vethakkan,  
No.2/202, Manali Salai,  
Ezhil Nagar, "A" Block,  
Kodungaiyur,  
Chennai – 600 118.

.. Petitioner

Vs

1.Govindaraj,  
District Collector,  
Chennai District,  
Rajaji Salai,  
Chennai – 600 001.

2.The Chairman,  
Tamilnadu Slum Clearance Board,  
Kamarajar Salai,  
Chepauk, Chennai – 600 005.

.. Respondents

(R2 suo-moto impleaded as second respondent as per order in Cont.P. No.1470 of 2016 dated 13.07.2018)

Contempt Petition filed under Section 11 of the Contempts of Court Act,  
praying to punish the respondent for having willfully disobeyed of the order dated  
31.08.2012 passed in W.P. No.29914 of 2011.

For Petitioner : Mr. L.Chandrakumar  
For Respondent-1 : Mr. M.Elumalai  
Additional Government Pleader  
2 : Mr. Prabhu  
Standing counsel

**O R D E R**

This Contempt Petition is filed to punish the respondent for having willfully disobeyed the order of this Court dated 31.08.2012 passed in W.P. No.29914 of 2011.

2. The Writ Petition filed by the petitioner in W.P. No.29914 of 2011 was disposed of in the following lines:

*“In view of the limited prayer that has been sought for by the petitioner, I direct the petitioner to send a representation, to assign the lands which is occupied by the members of the petitioners' association, individually by each of them, within a period of two weeks, from the date of receipt of a copy of this order and on receipt of the same, the first respondent is directed to consider the claim of the petitioner and pass appropriate orders, on merits and in accordance with law, within a period of two months thereafter.”*

Stating that the first respondent did not consider the representation of the petitioner, the petitioner has filed this contempt petition.

3. Learned Additional Government Pleader appearing for the first respondent produced before this Court the proceedings of the District Collector, Chennai, namely the first respondent in this Contempt Petition, to show that the District Collector after considering the representation of the petitioner has passed an order on 16.08.2016. Since the land vests with Tamil Nadu Slum Clearance Board, it is stated that the petitioner can approach the Tamil Nadu Slum Clearance Board.

4. Learned Standing Counsel appearing for the Tamil Nadu Slum Clearance Board states that the Tamil Nadu Slum Clearance Board has also handed over possession of the land to the Government and an affidavit is also filed by the second respondent to that effect.

5. In the said circumstances, this Court is of the view that the direction of this Court in the Writ Petition has to be considered once again by the District Collector in view of the stand taken by the Tamil Nadu Slum Clearance Board. However, the order of District Collector dated 16.08.2016, cannot be treated as one in violation of the direction of this Court.

6. It is open to the petitioner to submit a fresh representation to the first

parameters and shall pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of this order. Accordingly, this Contempt Petition is closed. No costs.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

bkn

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

from 25<sup>th</sup> day of September 2008 the Registry is issuing Certified copies of the Orders/Judgments/Decrees in this format.

GS/20/05/2021

To

1.The District Collector,  
Chennai District,  
Rajaji Salai,  
Chennai – 600 001.

2.The Chairman,  
Tamilnadu Slum Clearance Board,  
Kamarajar Salai,  
Chepauk, Chennai – 600 005.

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