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Cont.P.No.667 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Cont.P.No.667 of 2021

M.Ambikabathi,
No.64, Arunachalapuram,
Adayar, Chennai 20

... Petitioner

Vs

B.Murugesan,
Managing Director,
TamilNadu Housing Board,
Chennai 35

... Respondent

Prayer : Contempt Petition has been filed under Section 11 of Contempt of Courts Act, to punish the respondent for having committed contempt of Court for disobeying the order made in W.P.No.21802 of 2013 dated 27.11.2015 in accordance with law.

For Petitioner : Mr.M.Raja Sekhar
For Respondent : Mr.M.Baskar, Standing Counsel

ORDER

This contempt petition has been filed to punish the respondent for non compliance of the order passed by this Court dated 27.11.2015, thereby this Court directed to pay enhanced compensation at the rate of Rs.4600/- per cent to the petitioner taking into consideration the proceedings of the District



Collector, Kancheepuram dated 16.06.2009.

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2. The learned counsel for the respondent would submit that they are ready with compensation to be disbursed to the petitioner to the tune of Rs.1,55,173/- by the cheque dated 06.10.2021. However, the respondent could not able to disburse the same for the reason by the proceedings dated 16.06.2009 the District Collector of Chennai stated the subject land of the petitioner comprised as 235/1A1A1 to an extent of 5 1/2 cents instead of 235/5A1A1A1. It is seen from the proceedings dated 16.06.2009 in Item No.23 one Selliymmal land also mentioned as 235/1A1A1 to an extent of 5 1/2 cents and she was already disbursed the enhanced compensation amount by the respondent.

3. However, as far as the petitioner is concerned is in Serial No.25 as Survey No.235/1A1A1 to an extent of 5 1/2 cents. Both are same, however, the petitioner is not paid any enhanced compensation as directed by this Court. Therefore, the respondent sought for clarification before this the District Collector, Chennai for issuance of ratified proceedings in respect of subject land of the petitioner's survey number.

4. Admittedly, no rival claim for the said property except the petitioner. Therefore, this Court deemed it fit to direct the petitioner to file an undertaking affidavit with regard to survey number. On receipt of the same,



the Special Tahsildar (Land Acquisition), Tamil Nadu Housing Board is directed to disburse the enhanced compensation amount forthwith directly to the petitioner. It is also made clear that the respondent is at liberty to clarify the same with the District Collector, Chennai.

5. The learned counsel for the petitioner also submitted that the petitioner is now admitted in hospital for transplantation of his kidney. Therefore, the wife of the petitioner is permitted to file an undertaking affidavit with the Authorization Letter of the petitioner and appear before the Special Tahsildar (Land Acquisition), Tamil Nadu Housing Board.

6. Accordingly, this Contempt Petition is disposed of.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

rna

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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GS/21/02/2022