

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2021

CORAM : JUSTICE N.SESHASAYEE

Cont.P.No.1744 of 2018

and

Sub Application No.486 of 2018

R.Gowriammal

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Petitioner

Vs.

1.Thiru. Harmander Singh, I.A.S.,
Secretary to Government
Municipal Administration and Water Supply Department
Fort St.George
Chennai – 600 009.

2.Thiru.Hariharan
District Collector
Coimbatore District
Coimbatore – 641 018.

3.Thiru. K.Vijayakarhikeyan
Commissioner
Coimbatore City Municipal Corporation
Coimbatore – 641 001.

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Respondents

Prayer : Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, failing to comply with the order of this Court in Review Application (Writ) No.95 of 2018 in W.P.No.26620 of 2015 dated 29.06.2018.

For Petitioner : Mr.S.Parthasarathy
Senior Counsel
Assisted by Mr.P.Dinesh Kumar

For Respondents : Mr.M.Elumalai
Additional Government Pleader
for R1 & R2\

Mr.R.Sivakumar for R3

ORDER

This petition is filed in the context of Review Application No.95 of 2018, as against the order passed in W.P.No.26620 of 2015, dated 16.02.2018.

2. The quintessence of the issue is that the petitioner's property was acquired, and there was a challenge to the acquisition under Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. Even as that matter was being heard, this Court had an occasion to hear another batch of cases, and those batch cases were heard and disposed of. However, the present case in W.P.No.26620 of 2015 also by some inadvertence came to be tagged along with that batch. It is in this circumstances, the petitioner has preferred Review Application No.95 of 2018, informing the Court that the hearing in W.P.No.26620 of 2015 was not concluded. Realising the mistake, this

Court recalled the said order from the batch, vis-a-vis W.P.No.26620 of 2015, is pending. However, in its Order dated 26.09.2018 in Review Application No.95 of 2018, in paragraph No.6, this Court has recorded that *status quo ante* has to be restored.

3. In this contempt petition, Mr.S.Parthasarathy, learned Senior Counsel made a statement on behalf of the petitioner that notwithstanding the direction of this Court restoring status quo ante, which should be the status as on the date of the filing of the petition, the respondents make preparation to lay the roads, despite the order in the review petition was made known to the authorities, they left the property.

4. Mr.R.Sivakumar, learned counsel appearing for the Coimbatore Corporation / third respondent submitted that the property of the petitioner was not disturbed. The said statement is recorded.

5. Now it is not so much about the contempt of a certain interim order of this Court, but, it should be more about the ultimate disposal of the writ petition in W.P.No.26620 of 2015.

6. In view of the above statements , this Court closes the contempt petition.
The parties may have to now focus on in disposing of W.P.No.26620 of 2015. Consequently, connected application is closed.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

ds

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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GS/26/03/2021

To

1. The Secretary to Government
Municipal Administration and Water Supply Department
Fort St.George
Chennai – 600 009.

2. The District Collector
Coimbatore District
Coimbatore – 641 018.

3. The Commissioner
Coimbatore City Municipal Corporation
Coimbatore – 641 001.