

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 16.03.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.DURAI SWAMY

AND

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Contempt Petition No.970 of 2019

and

Sub Application No.254 of 2019

Banupriya,
W/o P.Rajendran,
No.2/9, Mount – Poonamallee Road,
Porur,
Chennai – 600 116.

... Petitioner

Vs.

1.Smt.Chitra,
The Commissioner,
Thiruverkadu Municipality,
Thiruverkadu,
Tiruvellore District,
Chennai – 600 077.

2.Muthukumar (Builder)

S/o. Sundaram,

Plot No.56, Moovendhar Nagar,

Nombal Village,

Chennai – 600 077.

... Respondents

(R2 – impleaded vide Sub Appln.No.254 of 2019 in Cont.P.No.970 of 2019 dated 08.01.2020)

Contempt Petition filed under Section 11 of Contempt of Courts Act to punish the respondents for having deliberately disobeyed the orders of this Court in W.P.No.28262 of 2018 dated 13.12.2018.

For Petitioner : M/s.P.A.Chitramani

For Respondents : Mr.R.Mohandoss (R1)

ORDER

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

By order dated 13.12.2018, the Division Bench of this Court, while disposing of the Writ Petition in W.P.No.28268 of 2018, direct the 4th respondent viz., Muthukumar to give his reply to the notice dated 21.05.2018 to the 3rd respondent within two weeks from the date of receipt of the copy of the order and on receipt of the same, the 3rd respondent was directed to pass appropriate orders after considering the reply to be given by the 4th respondent and take appropriate further action in accordance with law. Since the respondent has not taken any further action pursuant to the order passed in the Writ Petition, the Writ Petitioner has filed the above Contempt Petition.

2. When the Contempt Petition is taken up for hearing, Mr.R.Mohandoss, learned counsel appearing for the 1st respondent

submitted that pursuant to the order dated 13.12.2018, the 1st respondent had issued a notice under Section 56 & 57 read with Section 85 of the Town and Country Planning Act, 1971 for locking and sealing the premises in question. Since the 1st respondent had taken further action pursuant to the order passed in the Writ Petition, we do not find any reason to keep the Contempt Petition pending. Accordingly, the Contempt Petition is closed. However, in the event of the 1st respondent not proceeding further, it is open to the petitioner to seek for appropriate remedy before the appropriate Court.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

va

//Certified to be true copy//

सत्यमेव जयते

Dated at Madras this the day of 2021.

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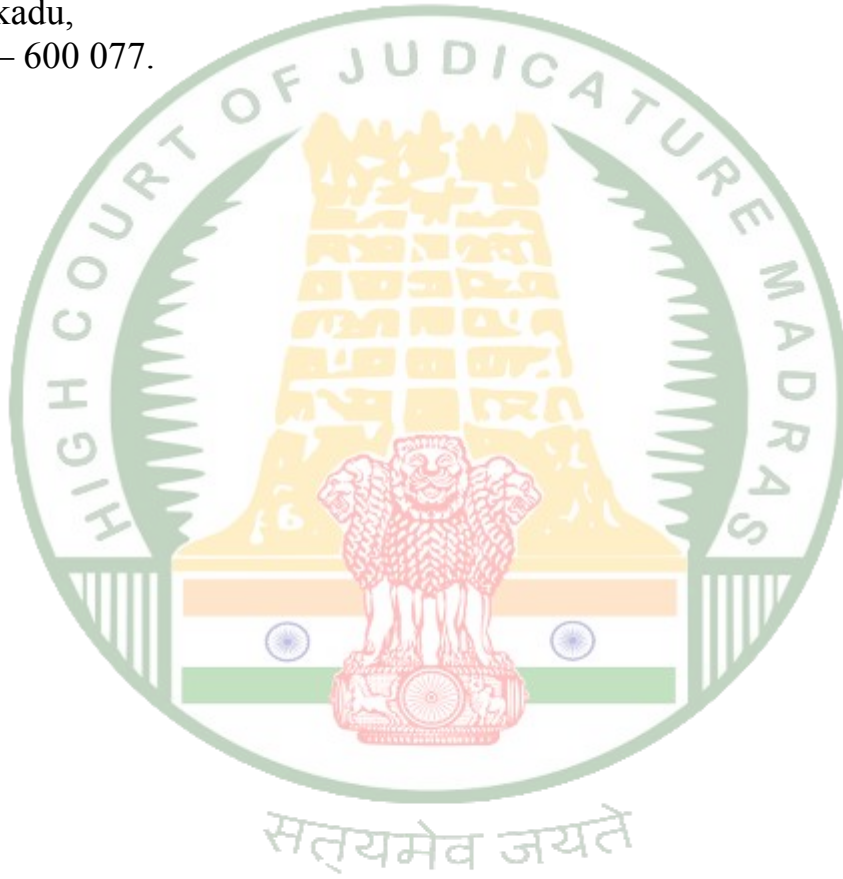
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IM/16/03/2021

To

The Commissioner,
Thiruverkadu Municipality,
Thiruverkadu,
Chennai – 600 077.



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