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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2021

CORAM :

THE HONOURABLE MR. JUSTICE S. VAIDYANATHAN

THE HONOURABLE MR. JUSTICE A.A. NAKKIRAN

Contempt Petition No.896 of 2021

S. Sumathy

Door No.164A, Bharathy Nagar 10th Street,
Vidyalayam, Coimbatore-641020

... Petitioner

Vs.

1. K.Kathiravamurthy

Executive Officer,
Periyanaickenpalayam Town Panchayat
Periyanaickenpalayam,
Coimbatore – 641 020.

2. Kannan

Inspector of Police
Periyanaickenpalayam Police Station,
Periyanaickenpalayam,
Coimbatore – 641 020.

... Respondents

Contempt Petition filed under Section 11 of the Contempt of Court Act,
praying to punish the respondents for their wilful disobedience of the order passed
by this Court made in W.P.No.2282 of 2021 dated 04.02.2021.

For Petitioner : Mr.N.Anbazhagan

For Respondents : Mr.LSM.Hasan Fizal
Govt. Advocate for R1

Mr.K.Tippu Sultan
Govt. Advocate for R2



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ORDER

(The Order of the Court was made by S. VAIDYANATHAN,J.)

The present Contempt Petition has been filed by the petitioner alleging non-compliance of the order of this Court passed in W.P.No.2282 of 2021 dated 04.02.2021.

2. Heard the learned counsel for petitioner and the learned Government Advocate.

3. Today, when the Contempt Petition is taken up for hearing, learned counsel for the petitioner submitted that the above said order of this Court had been complied with by the respondents herein.

4. Mr.Tippu Sultan, learned Government Advocate submitted that the order has been complied with and the encroachment has been removed. In this regard, the counter affidavit filed by the 2nd respondent reads as follows:

“6. Further I along with Executive Officer, Periyanaickenpalayam Town Panchayat conducted field inspection and as we found encroachment, the encroacher was advised to remove obstruction and encroachment in the road area immediately on his own cost and thereby, the said person removed the obstruction on 20.08.2021.



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Bharathi Nagar, 10th street, Periyanaickenpalayam, Coimabtoe. I more fully obliged and enforced the order of this Hon'ble Court”.

5. Mr.Tippu Sultan, learned Government Advocate also filed the photographs showing the encroachment including slope from the compound wall to the road and the removal of the same in the subsequent photographs.

6. Since the said order of this Court had been complied with by the respondents, nothing further survives for consideration in this Contempt Petition, which is accordingly closed. It is needless to mention that it is open to the authorities to ensure whether the building is in accordance with plan as inaction will make the officials to face departmental action and adverse entry in service records.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

dpq

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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

GS/13/12/2021



To,

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1. The Executive Officer,
Periyanaickenpalayam Town Panchayat
Periyanaickenpalayam,
Coimbatore – 641 020.

2. Inspector of Police
Periyanaickenpalayam Police Station,
Periyanaickenpalayam,
Coimbatore – 641 020.