



Contempt Petition No.2227 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 01.10.2021

CORAM:

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

Contempt Petition No.2227 of 2018
(Heard through VC)

P.Selvarajan,
39/19, Muniyan Street,
Puthupettai Post,
Attur 636 141,
Salem District

.. Petitioner

Versus

K.Kannan, B.S.C,
The Commissioner,
Attur Municipality,
Municipality Office,
Attur, Salem District.

.. Respondent

PRAYER: Contempt Petition is filed under Section 11 of the Contempt of Courts Act, to punish the respondent for wilful disobeying the order passed by this Court in W.P.No.32832 of 2017, dated 18.12.2017.

For petitioner	: Mr.Patrick
	For Mr.K.Rajasekaran
For respondent	: Mr.B.Anand
	Standing Counsel

ORDER

(The Order of the Court was made by K.KALYANASUNDARAM, J)

Alleging wilful disobedience of the order passed in W.P.No.32832 of

2017, dated 18.12.2017, the present Contempt Petition has been filed.



WEB COPY

2. It appears that the private respondents 4 and 5 in the Writ Petition, viz., R.Vasanthan and V.Sriram had put up unauthorized construction and this Writ Petition was filed seeking direction to the official respondents to demolish the unauthorized construction.

3. Mr.B.Anand, learned Standing Counsel appearing for the respondent would state that pursuant to the order passed in the above Writ Petition, the respondent prosecuted the private respondents in the Writ Petition in S.T.C.No.695 of 2018 and also issued notice to them to vacate the building under Sections 49 and 47 A of the Tamil Nadu Town and Country Planning Act. He would further state that the owners of the building have preferred an appeal to the Commissioner, Town and Country Planning, Anna Salai, Chennai. In view of the pendency of the Appeal, no further action would be proceeded against the owners of the building. In this regard, the respondent has also filed an affidavit dated 10.06.2021.

4. Considering the fact that the respondent had initiated action for removal of the encroachers, we think it appropriate to close the Contempt Petition. Accordingly, the Contempt Petition is closed. The Commissioner, Town and Country Planning, Anna Salai, Chennai, is directed to dispose of the Appeal preferred by R.Vasanthan and V.Sriram, who were arrayed as



Contempt Petition No.2227 of 2018

R-4 and R-5 in W.P.No.32832 of 2017, as expeditiously as possible, preferably within a period of two months, after providing opportunity to the petitioner and all necessary parties. There is no order as to costs.

SD/-
ASSISTANT REGISTRAR(COMM.CASES)

rns

//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

The Commissioner,
Attur Municipality,
Municipality Office,
Attur, Salem District.

Copy to:

The Commissioner,
Town and Country Planning,
Anna Salai, Chennai.