



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.03.2021

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CONT.P.(MD)No.276 of 2021 in
W.M.P.(MD)No.8457 of 2020 in
W.P.(MD)No.9284 of 2020

Arulmigu Kalyanasundareshwarar Temple,
Melur, Madurai District through its
Executive Officer.

... Petitioner/Petitioner

Vs.

1. P.Balamurugan,
Commissioner,
Melur Municipality,
Melur,
Madurai District.

2. P.Ganesh Pandian

... Contemnors/Respondents

Prayer: Contempt petition is filed under Section 11 of Contempt of Courts Act, 1971, to punish the respondents under Section 11 of the Contempt of Courts Act, 1971 for his willful disobedience of the order of this Court passed in W.M.P.(MD)No.8457 of 2020 in W.P.(MD)No.9284 of 2020 dated 14.08.2020.

Prayer in WMP(MD). 8457/ 2020 :

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to grant an order of Injunction restraining 1st respondent from granting or renewing the building plan in respect of property of the petitioner in Madurai district, Melur village, S.No.185/5 measuring 0.441/2 cents pending disposal of the writ petition and thus render justice

Prayer in WP(MD). 9284/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying the issuance of Writ of Certiorarified Mandamus quashing the proceedings of 1st respondent in uoo.Aanai 116/BL/2020/00029 dated 04.03.2020 and directing the 1st respondent to cancel the building plan in uoo. Aanai 116/BL/2020/00029 dated 04.03.2020 in respect of the property of the petitioner in Madurai district, Melur village, S.No.185/5, measuring 0.441/2 cents



For Petitioner : Mr.S.Manohar
For R-1 : Mr.J.Gunaseelan Muthiah
For R-2 : Mr.V.Karthik Raja,
for M/s.Ajmal Associates.

WEB COPY

O R D E R

Heard the learned counsel on either side.

2. The allegation of the petitioner/temple is that interim order granted by this Court on 14.08.2020 in W.M.P.(MD)No.8457 of 2020 has been breached.

3. It is submitted by the contemnors that the plan was obtained on 04.03.2020 and before the said date, constructions have already been completed. It is stated that only one electricity connection has been obtained.

4. I restrain the second respondent from putting up any further construction and obtaining any more electricity connection. The authorities shall abide by the final orders to be passed in the batch of writ petitions already filed by the petitioner herein.

5. With this direction, this contempt petition stands closed.

6. Registry to list W.P.(MD)No.9284 of 2020 along with other connected writ petitions.

7. The contemnors are present before this Court. They need not appear again. The notice dated 02.09.2020 issued by the Commissioner restraining the second respondent herein from putting up any further construction is taken on record.

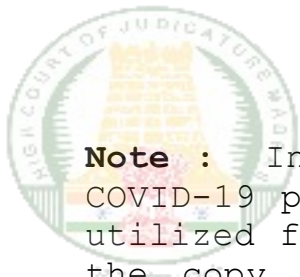
Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

The Commissioner,
Melur Municipality,
Melur,
Madurai District.

Copy to
The Section Officer, Writ Section,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-14502[F] dated 30/03/2021)

+1 CC to Mr.S.MANOHAR, Advocate (SR-14309[F] dated 30/03/2021)

CONT.P.(MD)No.276 of 2021 in
W.M.P.(MD)No.8457 of 2020 in
W.P.(MD)No.9284 of 2020
29.03.2021

—

KM(24.05.2021) 3P 5C