



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :15.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

Cont.P(MD)No.722 of 2021

in

W.P.(MD)No.11033 of 2020

Ammaiyappan
Hereditary Trustee,
Arulmigu Selva Vinayagar Temple,
L.N.Puram,
Aranthangi Town and Taluk,
Pudukkottai District.

: Petitioner/Petitioner

Vs.

1.Ayyanar
Commissioner (In-charge)
Aranthangi Municipality,
Aranthangi Town and Taluk,
Pudukkottai District.

2.Nadiyammai

3.Ravi @ Ravichandran : Contemnors/Respondents 1,3&4

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, to punish the respondents / contemnors for their wilful deliberate disobedience of the order passed by this Court in in W.P.(MD) No.11033 of 2020 dated 07.09.2020.

Prayer in WP(MD) . 11033/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ or order or direction or any other writ in the nature of writ of mandamus directing the 1st respondent to take action U/s.216 of Tamil Nadu District Municipalities Act, 1920 and to remove the unauthorized construction made by the respondents 2 to 4 and also initiate prosecution U/s.317 of Tamil Nadu District Municipalities Act, 1920 for the illegal and unauthorized construction made by the respondents 2 to 4 in the temple property i Town S.F.No.16/43 by considering the petitioners representation dated 13.08.2020



For Petitioner : Mr.K.Baalasundharam
For 1st Respondent : Mr.P.Mahendran
Standing Counsel

WEB COPY

ORDER

(Order of the Court was made by **T.S.SIVAGNANAM, J.**)

This contempt petition has been filed against the wilful disobedience of the order and direction issued in W.P.(MD) No.11033 of 2020 dated 07.09.2020.

2.Inspite of the direction issued by the Division Bench on 07.09.2020 directing the first respondent to forbear the private respondent from proceeding with the unauthorised constructions, no effective action was taken by the first respondent except for issuing notices to the respondents and inspite of receipt of the notice, it appears that the private respondent proceeded with the construction.

3.Mr.P.Mahendran, learned Standing counsel for the first respondent Municipality submitted that the Municipality is taking action for issuing notice for locking and sealing the building, which is under construction.

4.Let the steps be taken and report be filed in the pending writ petition. The action should be initiated within a period of three days from today. If the commissioner of the first respondent Municipality requires police protection, the same should be provided by the Sub Inspector of Police, Aranthangi Police Station, without any default.

5. With the above observations, the contempt petition is closed.

Sd/-

Assistant Registrar (AS)

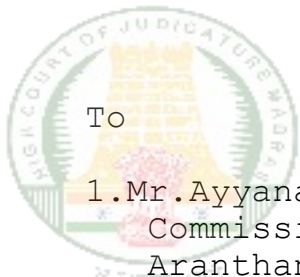
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/ /2021

Sub Assistant Registrar(CS)

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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

1.Mr.Ayyanar,
Commissioner (In-charge)
Aranthangi Municipality,
Aranthangi Town & Taluk,
Pudukkottai District.

2. Mrs. Nadiyammai
W/o. Ramadas,
LN.Puram, Aranthangi,
Pudukkottai District.

3. Mr. Ravi @ RaviChandran,
S/o. Ramadas
LN.Puram, Aranthangi,
Pudukkottai District.

4. Sub Inspector of Police,
Aranthangi Police Station,
Pudukkottai District.

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

+1 CC to M/s.P.MAHENDRAN, Advocate (SR-22791[F] dated 15/07/2021)

**Cont.P(MD)No.722 of 2021
15.07.2021**

SSS(CO)
LR (16.07.2021) 3P 7C