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CONT P Nos.171 and 234 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.03.2022

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

CONT. P Nos.171 and 234 of 2022

Thiru.A.Chinnadurai,
No.8/8, Surya Towers,
Anna Street, Gandhi Nagar,
Saligramam,
Chennai 600 093

... Petitioner in both Cont.Petitions

Vs.

1. Tmt.M.Lakshmi,I.A.S.,
Chief Executive Officer,
Chennai Metropolitan Development Authority,
No.1 Gandhi Irwin Road,
Egmore, Chennai – 600 008.

2. Tmt.S.Shanthi,
Chief Administrative Officer,
MMC,KWMC,Koyambedu,
Chennai – 600 092.

... Respondents in Cont.P.No.171 of 2022

1. Thiru Anshul Mishra I.A.S.,
Chennai Metropolitan Development Authority,
Represented by its Member Secretary,
Thalamuthu Natarajan Building,
No.1, Gandhi Irwin Road,
Egmore, Chennai – 600 008.

2. Tmt.M.Lakshmi I.A.S.,
The Chief Executive Officer,
Chennai Metropolitan Development Authority,
Represented by its Chairman,
No.1, Gandhi Irwin Road, Egmore,
Chennai – 600 008.



3. Tmt. S.Shanthi,
The Chief Administrative Officer,
Market Management Committee,
Koyambedu Wholesale Market Complex,
Chennai – 600 092.

... Respondents in Cont.P.No.234 of 2022

Prayer: Contempt Petitions filed under Section 11 of the Contempt of Court Act, to punish the respondents for willful disobedience of the order W.M.P.26565/2021 in W.P.25195/2021 dated 14.02.2022 and W.P.No.22369 of 2021 dated 29.11.2021.

For Petitioner in both Cont.Ps. : Mr.V.Raghavachari
For Respondents in both Cont.Ps. : Mr.R.Sivakumar &
Mr.Malarviyhi Udaya Kumar

COMMON ORDER

Contempt Petition No.234 of 2022 has been filed by the petitioner seeking non-compliance of order passed on 29.11.2021, and Contempt Petition No.171 of 2022, alleging non-compliance of order dated 14.02.2022 extending the order of status quo granted on 29.11.2021. Both the Contempt Petitions are inextricably connected and Cont.P.No.171 of 2022 is directed to be listed under a special list as it is appropriate that both are disposed simultaneously.

2. Learned counsel for the petitioner agrees that order of this Court dated 29.11.2021 directing status quo of impugned proceedings have been complied with by the respondents. Separate affidavits have been filed by the three respondents praying that they be absolved of admitted contempt, since non-compliance with the



order of status quo was not wilful, but unintentional.

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3. A question that arises is as to whether there is any contempt committed at all. The order of status quo had been granted on 29.11.2021 and was being periodically extended. While so, at the hearing on 03.02.2022, the matter had been adjourned by one week sans extension of the interim order.

4. The interim protection had subsequently been extended when the matter had come up on 14.03.2022 by which time, and taking advantage of the interim period of one week when the interim protection had not been extended, the contemnors proceeded to lock and seal the godown on 12.02.2022.

5. In light of the admitted position that the property has been de-sealed, and the respondents have also tendered unconditional apologies, the matter is allowed to rest. The Contempt Petitions are closed and the Contemnors, viz., Anshul Mishra, M.Lakshmi and S.Shanthi, are discharged. No costs.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

sl

//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/01/06/2022



To

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1. The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Building,
No.1, Gandhi Irwin Road,
Egmore, Chennai – 600 008.
2. The Chief Executive Officer,
Chennai Metropolitan Development Authority,
No.1 Gandhi Irwin Road,
Egmore, Chennai – 600 008.
3. The Chief Administrative Officer,
Market Management Committee,
Koyambedu Wholesale Market Complex,
Koyambedu, Chennai – 600 092.