



Contempt Petition No.1934 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2022

CORAM

THE HONOURABLE Mr.JUSTICE R.SUBRAMANIAN

and

THE HONOURABLE Mr.JUSTICE KUMARESH BABU

Contempt Petition No.1934 of 2022

S.N.Kesavan

... Petitioner / Petitioner

Vs

Mr.P.Murugesan
Zonal Officer
Zone - VII, Corporation of Chennai
Shenoy Nagar
Chennai - 600 030.

...Respondent / 2nd Respondent

Prayer : Contempt Petition filed under Section 11 of the Contempt of Courts Act,1971, to punish the respondent for his act of wilful disobedience in non-complying the orders of this Court passed in W.P.No.27297 of 2021 dated 23.12.2021, despite receipt of order and notices.

For Petitioner : Mr.P.Srinivas

For Respondent : Ms.P.T.Ramadevi
Standing Counsel



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ORDER

[Order of the Court was made by R.SUBRAMANIAN.JI]

A Division Bench of this Court while disposing of the writ petition in W.P.No.27297 of 2021 on 23.12.2021, had directed the respondent to take action against the unauthorised construction put up by the fourth respondent, in the writ petition, and the said exercise shall be completed within a period of eight weeks from the date of receipt of a copy of the order.

2. Thereafter, the petitioner through his counsel issued a notice on 10.02.2022 requiring the respondents to take action. On 11.05.2022, the Zonal Officer, Zone-VIII of Greater Chennai Corporation passed an order directing action to be initiated for unauthorised construction. Despite the orders having been passed, the respondent herein did not take any action.

3. The petitioner again sent a notice on 28.05.2022. Thereafter, the petitioner came up with this contempt petition and statutory notice was issued by this Court on 29.09.2022.

4. After issuance of statutory notice, the respondent appeared before us on 28.10.2022. Thereafter he had issued the lock and seal notice on 29.10.2022 and followed it up with de-occupation notice dated 14.11.2022 to both the writ petitioner and the fourth respondent.



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5. It is a clear case of disobedience of the order of this Court. The very fact that the lock and seal notice has been issued after the respondent appeared before us in the contempt petition, would speak volumes about the conduct of the respondent. Hence, we find him guilty of contempt of Court. We impose a punishment of censure and direct the Commissioner, Corporation of Chennai to record the punishment in the service book of the respondent.

6. It will be open to the petitioner to revive the contempt if the action is not proceeded in accordance with law.

[RSMJ] [KBJ]
21.11.2022

Index : No
Speaking order
ds

To:
Mr.P.Murugesan
Zonal Officer
Zone - VII, Corporation of Chennai
Shenoy Nagar
Chennai - 600 030.



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R.SUBRAMANIAN. J.,
and
KUMARESH BABU.J.,

ds

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