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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.08.2022

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Contempt Petition Nos.1681 of 2021 & 97 of 2022
in Sub A Nos.593 of 2021, 29 of 2022, 21 of 2022 and 30 of 2022

Cont P No.1681 of 2021

L.Loganathan
vs.

...Petitioner

R.Saraswathi,
The Commissioner,
Udhagamandalam Municipality,
Udhagamandalam, Nilgiris

..Respondent

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Courts Act, to punish the respondent for undermining the authority of this Court by willfully and wantonly disregarding and disobeying the directions issued by this Court in WP No.10262 of 2020 by order dated 04.09.2020.

Cont P No.97 of 2022

1. C.P.Mathan
2. M.Palaninathan

...Petitioner

vs.

Mrs.R.Saraswati,
The Commissioner,
Udhagamandalam Municipality,



Udhagamandalam, Nilgiris

..Respondent

PRAYER in WP No.1681 of 2021: Contempt Petition filed under Section 11 of the Contempt of Courts Act, to punish the respondent for undermining the authority of this Court by willfully and wantonly disregarding and disobeying the directions issued by this Court in WP No.10262 of 2020 by order dated 04.09.2020.

PRAYER in WP No.97 of 2022: Contempt Petition filed under Section 11 of the Contempt of Courts Act, to punish the respondent for undermining the authority of this Court by willfully and wantonly disregarding and disobeying the directions issued by this Court in WP No.10327 of 2020 by order dated 04.09.2020.

For Petitioner : Mr.N.L.Rajah
in both Contempt Senior Counsel
Petitions

For Respondent : Mr.P.Srinivas
in both Contempt Standing Counsel
Petitions

ORDER

Both these contempt petitions came up for hearing on 12.08.2022. Insofar as Cont.P.No.1681 of 2021 is concerned, the learned Standing Counsel appearing on behalf of the Contemnor sought for some time. Insofar as Cont.P No.97 of 2022 is concerned, this Court issued a



present on the date of hearing. Both the contempt petitions were posted for hearing on 18.08.2022 and the Deputy Superintendent of Police was directed to execute the bailable warrant and produce the contemnor on the date of hearing.

2. The learned Standing Counsel appearing on behalf of the municipality made a mention before this Court today morning and submitted that the Commissioner of Udthagamandalam Municipality is present in Court today and that the application submitted by the petitioners in both the contempt petitions have been acted upon and the petitioners were directed to pay the necessary fees in order to grant building permission. The learned Standing counsel requested this Court to take into consideration this subsequent development.

3. This Court directed the learned Standing Counsel to serve a notice on the counsel appearing on behalf of the petitioners in both the contempt petitions and to inform the counsel that both the contempt petitions will be taken up for hearing at 2.15 p.m. Accordingly, notice was issued to the counsel for the petitioners and they were also



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4. The learned Standing Counsel appearing on behalf of the municipality produced the copy of the proceedings in B.A.No.100/2019/௪௩1 dated 12.08.2022 and B.A.No.101/2019/௪௩1 dated 12.08.2022. On going through the same, it is seen that pursuant to the orders passed in these contempt petitions, the respondent has taken a decision to consider the application submitted by the petitioners seeking for building approval and directed the petitioners to deposit the necessary fees, as mentioned in the proceedings.

5. The learned counsel appearing for the petitioners submitted that they have received the proceedings of the respondent dated 12.08.2022 and they have also paid the necessary fees on 16.08.2022. A copy of the receipt for the payment of the fees was also furnished before this Court.

6. In view of the above development, the respondent has to scrutinise the application and grant the building permission to the petitioners and such permission shall be granted before the end of this



week. The present commissioner of the Udagamandalam Municipality was also present in person at the time when the order was passed.

7. In view of the above, the bailable warrant issued by this Court through earlier order dated 12.08.2022 is hereby recalled. Recording the subsequent developments, both the contempt petitions stands closed. Consequently, the connected sub applications are closed.

16.08.2022

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
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N. ANAND VENKATESH, J.

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in Sub A Nos.593 of 2021, 29 of 2022, 21 of 2022 and 30 of 2022**

16.08.2022