



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :: 28-11-2022

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

AND

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

CONTEMPT PETITION No.1379 of 2022

P.Thenmozhi

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Petitioner

-VS-

1.Mr.Hitesh Kumar S.Makwana, I.A.S.,
Chairman,
Tamil Nadu Housing Board,
No.493, Anna Salai,
Nandanam,
Chennai – 600 035.

2.Mr.R.Gandhi,
The Executive Engineer-cum-Administrative Officer,
Anna Nagar Division,
Tamil Nadu Housing Board,
Anna Nagar,
Chennai – 600 041.

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Respondents

Contempt Petition has been filed under Section 11 of the Contempt of Courts Act, 1971, to punish the respondents for disobeying the order, dated 17.03.2020, passed in Review Application No.228 of 2018 on the file of this Court.



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For Petitioner : Mr.C.Umashankar

For respondents : Mr.D.Veerasekaran,
Standing Counsel.

ORDER

This Contempt Petition has been filed to punish the respondents for alleged wilful and deliberate disobedience of the order of this Court, dated 17.03.2020, passed in Review Application No.228 of 2018.

2. Learned counsel for the petitioner drew the attention of this Court to Paragraphs 9 and 12 of the above order, which are extracted hereunder :

"9. In the result, this Review Application is dismissed. However, de hors the dismissal of the Review Application, the respondents are directed to take immediate, appropriate and necessary steps for re-auction of 111 plots, for which allotments have been made as early as in the year 2003 and subsequently cancelled by TNHB from 2010 onwards since they did not respond to the communications/opportunities given. TNHB shall complete the said exercise within a period of 6 months from the date of receipt of a copy of this order and also file a comprehensive Status Report in this regard for the reason that as far as this issue is concerned, it is in public interest. No costs.

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12. The petitioner/review applicant is at liberty to submit a representation in this regard to the respondents 1 and 2 within a period of four weeks from the date of receipt of a copy of this order and upon receipt of the same, the respondents are directed to consider the same and pass appropriate orders on merits and in accordance with law within a further period of six weeks thereafter and communicate the decision taken, to the petitioner/review applicant."

Based on the above order, the learned counsel would contend that the respondents, in order to circumvent the directions of this Court and having given a reply under the Right To Information Act that there are 16 plots available for allotment, rejected the request of the petitioner for allotment of a plot, which amounts to wilful and deliberate disobedience.

3. Pursuant to the order, which has been extracted supra, the respondents have disposed of the representation of the petitioner, rejecting the request of the petitioner for allotment of a plot. We do not dwell into the merits of the matter in this contempt petition as to whether the order passed by the respondents pursuant to the orders passed by this Court is correct or not. If the petitioner is aggrieved over the said order passed by the respondents, it is for her to challenge the same in the manner known to law.



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4. In our view, the petitioner has not made out any contempt. Therefore, this Contempt Petition is closed. No costs.

Index : Yes/No

Internet : Yes/No

Speaking / Non-speaking Order

(S.V.N.,J.)

(N.S.K.,J.)

28-11-2022

dixit

To

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S.VAIDYANATHAN,J.
AND
N.SATHISH KUMAR,J.

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