



Cont.P.No.2497 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2022

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

Cont.P.No.2497 of 2022

Jiji Mathew

... Petitioner

VS

1.Mr.Neeraj Mittal IAS,
The Principal Secretary,
Information Technology Department,
Government of Tamil Nadu,
Fort St. George,
Chennai - 600 009.

2.Mr.Gagandeep Singh Bedi IAS,
The Commissioner of Chennai Corporation,
Rippon Buildings,
Chennai.

3.Mrs.Amirtha Jothi IAS,
The District Collector,
Singaravelar Maligai,
Chennai - 600 001.

4.Mr.C.Mathivanan,
The Zonal Officer,
Chennai Metropolitan Municipal Corporation,
ZONE-4, Tondiarpet,
Chennai.

... Respondents



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Prayer: Petition filed under Section 11 of the Contempt of Court Act, 1971, to initiate contempt proceedings against the respondents under Section 11 of the Contempt Courts Act, 1971 for their willful disobedience of the order passed by this Hon'ble Court in W.P.No.5056 of 2022 dated 08.06.2022 and punish them accordingly.

For Petitioner : Mr.D.Ashok Kumar

For Respondents : Mrs.M.Jayanthi, AGP for R1, R3
Mrs.P.T.Ramadevi for R2, R4

ORDER

By order dated 08.06.2022 writ petition was disposed by directing the respondents 1 to 4 in the writ petition to consider and pass appropriate orders on the petitioner's representation dated 13.09.2021. Pursuant to the aforesaid order the petitioner has also sent a communication to the fourth respondent on 30.09.2022. Today, when the case was taken up for hearing learned counsel for the respondents have filed a copy of communication dated 28.09.2022 calling upon the petition



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to come for an enquiry on 30.09.2022. Thereafter, the fourth respondent has passed an order on 04.11.2022 bearing reference Z.O.VI.C.No.1071/2022. Relevant portion of the order / communication of the fourth respondent reads as under:

"In order to comply with the direction of the Hon'ble High Court a letter dated 08.06.2022 was addressed to you as well as to the 4th respondent to appear for personal hearing on 30.09.2022 with supporting documents.

It is submitted that you have attended the personal hearing on 30.09.2022 and had given a written submission stating that a Cell Phone Tower was being erected at Door No.76/1 & 2, Rathina Sabapathy Street, Old Washermenpet, Chennai - 600 021, without any proper licence and requested to dismantle the Cell Phone Tower erected at Door No.76/1 & 2, Rathina Sabapathy Street, Old Washermenpet, Chennai - 600 021.

It is submitted that the authorized representative of the 4th respondent had attended the personal hearing on 30.09.2022 and has stated that they have obtained the licence for the Cell Phone Tower at Door No.76/1 & 2, Rathina Sabapathy Street, Old Washermenpet, Chennai -



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600 021, vide Licence approved was given and requested not to take any coercive action.

It is submitted that the Government of Tamil Nadu has passed an Government Order vide G.O.(Ms).No.4, Information Technology (E1) Department dated 25.01.2022 in and by which delegated the powers to issue licence for erection of Cell Phone Towers to the Greater Chennai Corporation.

Its enquiry conducted by Greater Chennai Corporation on 30.09.2022. Your written submission letter dated 30.09.2022 based on G.O.(Ms).No.4, Information Technology (E1) Department dated 25.01.2022. Your requisition be rejected."

2. In view of the above, nothing further requires for adjudication.

Hence, the contempt petition stands closed with liberty to challenge the above order. No costs.

16.12.2022

Index : Yes/ No
Internet : Yes/No
rna



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WEB COPY

To

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Information Technology Department,
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- 2.The Commissioner of Chennai Corporation,
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Chennai.
- 3.The District Collector,
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- 4.The Zonal Officer,
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C.SARAVANAN, J.

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