



Cont.P(MD)No.552 of 2018

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

and

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cont.P(MD)No.552 of 2018

in

W.P(MD)No.23539 of 2015

V.Peter

... Petitioner/Petitioner

Vs.

Mr.K.Saravanakumar,
The Commissioner,
Colachel Municipality,
Colachel,
Kanyakumari District.

... Contemnor/5th respondent

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Court Act, 1971, to punish the contemnor/5th respondent for his willful disobedience of the order passed in W.P(MD)No.23539/2015, dated 12.09.2017 on the file of this Court.

For petitioner : Mr.C.T.Perumal

For Respondent : Mr.K.P.Krishnadoss



WEB COPY



Cont.P(MD)No.552 of 2018

ORDER

(Order of the Court was made by **M.S.RAMESH, J.**)

The order passed in W.P(MD)No.23539 of 2015, dated 12.09.2017, reads that the Commissioner of Colachel Municipality, shall conduct an enquiry and if any encroachment is noticed, the same shall be removed in accordance with the statutory procedure.

2. Alleging disobedience of the aforesaid order, dated 12.09.2017, the present Contempt Petition has been filed.

3. It is brought to our notice that pursuant to the orders passed in the writ petition, the Commissioner of Colachel Municipality, had passed an order, dated 20.11.2018, stating that there are no encroachments in the subject lands.

4. Since the orders passed in the writ petition was only to a limited extent, by way of a direction to the Commissioner of Colachel Municipality, to remove the encroachment if any and now that, the



Cont.P(MD)No.552 of 2018

Commissioner has also found that there are no encroachments in the subject lands, we are of the view that there is no disobedience of the order passed in the writ petition. Hence, this Contempt Petition stands closed.

5. In case, the petitioner is aggrieved against the order of the Commissioner of Colachel Municipality, dated 23.11.2018, liberty is hereby granted to him to work out his remedy in accordance with law.

[M.S.R.,J.] & [G.R.S.,J.]
28.11.2022

Index : Yes/No

Internet : Yes/No

pm



WEB COPY



Cont.P(MD)No.552 of 2018

M.S.RAMESH, J.
AND
G.R.SWAMINATHAN, J.

pm

ORDER MADE IN
Cont.P(MD)No.552 of 2018

28.11.2022