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Contempt Petition No.745 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

CONTEMPT PETITION No.745 of 2023

606 Thirumangalam Housing Board,
Residential Welfare Association,
Reg.No.187 /2020, Rep. by its President,
M.Athihamanmuthu, Anna Nagar, West Extension,
Ambatur Road, Thirumangal.

... Petitioner

vs.

Mr.E.Saravanelraj, IAS,
Managing Director,
Tamil Nadu Housing Board,
Nandanam, Chennai-35.

... Respondent

Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, seeking to punish the Respondent herein for willfully and deliberately disobeying the orders of this Court dated 01.02.2022 made in W.P.no.11155 of 2011.

For Petitioner : Mr.R.Poornima

For Respondent : Mr.J.Ravindran, AAG
Assisted by Mr.M.Veerasekaran, SC



ORDER

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This Contempt Petition is filed seeking to punish the Respondent herein for willfully and deliberately disobeying the orders of this Court dated 01.02.2022 made in W.P.no.11155 of 2011.

2. This Court vide order dated 01.02.2022, allowed the writ petition in W.P.No.11155 of 2021 by setting aside the impugned order passed by the respondent herein and remanded the matter back to the respondent for fresh consideration. In this regard, the respondent has filed writ appeal before this Court and the same was also dismissed. However, the order of this Court is not complied with and therefore, the petitioner filed the contempt petition before this Court.

3. The learned Additional Advocate General of Tamil Nadu appearing on behalf of the respondent submitted that the respondent has re-visited the impugned order dated 01.02.2022 and decided to collect a sum of Rs.500/- per month as water charges from the residents of the petitioners' Association from May 2023 onwards. Further, instead of purchasing water through lorry, the Metro Water decided to lay the pipeline to the residents of the petitioners' Association and to complete the said project, the respondent seek some time.



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4. On the earlier occasion, the respondent has collected Rs.900/- per month as water charges from the residents and that was set aside by this Court. The respondent also undertakes to complete the project within a period of four months. In such view of the matter, this Court passes the following orders:

(i) The respondent is directed not to collect any arrears amount from the residents of the petitioners' Association prior to May 2023.

(ii) the respondent is entitled to collect a sum of Rs.500/- per month from the residents of the petitioners' Association only for four months till the completion of the project; and

(iii) thereafter, the respondent is directed not to collect any amount except Metro water charges from the residents of the petitioners' Association.

5. With the above direction, the Contempt Petition is closed. However, liberty is granted to the petitioners to work out their remedy in the manner known to law.

23.06.2023

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M.DHANDAPANI,J,



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Index : Yes/No
Speaking Order : Yes/No

CONT. PETN. No.745 of 2023

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