



WEB COPY



Cont.P.No.704 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.04.2023

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

Contempt Petition No.704 of 2023

Mr.Anthony Harry

.. Petitioner

Vs.

1.Mr.Dharmendra Pratap Yadav
The Chairman,
Tamil Nadu Slum Clearance Board,
(now Tamilnadu Urban Habitat Development
Board)
No.5, Kamarajar Salai,
Chepauk, Chennai – 600 005.

2.Mr.Dharmendra Pratap Yadav,
The Secretary,
Tamil Nadu Slum Clearance Board,
(now Tamilnadu Urban Habitat Development
Board)
No.5, Kamarajar Salai,
Chepauk, Chennai – 600 005.

Respondents

..

PRAYER: Contempt Petition filed Under Section 11 of Contempt of Courts Act, 1971, to punish the respondents/respondents for contempt of the order passed by Hon'ble High Court, Madras in W.P.No.30789/2017 dated 23.08.2022.

For Petitioner

For R1 & R2

: Mr.K. Kannan

: Mrs.G. Thilagavathi

Senior Counsel

For Mr.B.Balaji



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ORDER

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2. The learned counsel for the petitioner made a submission that the directions issued by this Court has not been complied with.

3. The learned Senior counsel appearing on behalf of the respondents / Tamil Nadu Urban Habitat Development Board, relying on the counter, made a submission that the Board sent letters to the petitioners on two occasions. The said two letters were returned as “No such person”. However, the petitioner appeared on 13.12.2022 before the authorities, but failed to produce relevant documents, despite the instructions given to produce all documents. The petitioner has not furnished the Legal Heir certificate of his sister nor appeared before the Board or to the Estate Officer, Division II for the reasons best known to him.



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4. That apart, the respondents have stated that they have preferred Writ Appeal in W.A.SR.No.24674/2023 and C.M.P.No.7059 of 2023, which is to be listed before the Hon'ble Division Bench of this Court.

5. The learned counsel for the petitioner states that he has produced all the documents including the Legal Heir certificate, which were not taken into consideration by the competent authorities.

6. May that as it be. The respondents preferred Writ Appeal, which is now pending before the Division Bench in C.M.P.No.7059 of 2023 in W.A.SR.No.24674 of 2023.

7. Under these circumstances, this Court cannot effectively deal with the contempt proceedings and therefore, the contempt petition stands closed. However, the petitioner is at liberty to re-open the contempt proceedings after disposal of the writ appeal, if necessary. No costs.

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Index : Yes
Speaking order: Yes
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S.M.SUBRAMANIAM, J.

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