



WEB COPY



Cont.P.No.2169 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.01.2023

CORAM :  
**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM**

Contempt Petition No.2169 of 2022

and

Sub. Appl. No.11 of 2023

in

W.P.No.29785 of 2011

Chrompet G.S.T. Salai,  
Puduvai Nagar Siruthozhil,  
Vyaparigal Sangam (Reg No.400/1998),  
No.5, 2<sup>nd</sup> Street, Puduvai Nagar,  
G.S.T. Road, Chrompet,  
Chennai-600 044.  
Rep.by its Secretary,  
Mr.G.Bakthvatchalam.

... Petitioner

Vs.

1.Thiru.Amal Raj,  
The Commissioner of Police,  
Office o the Commissioner of Police,  
Tambaram, Chennai – 600 058.

2.Thiru.M.Elango,  
The Commissioner,  
Tambaram Corporation,  
Tambaram, Chennai-600 045.

... Respondents



Cont.P.No.2169 of 2022

(Amended the Cause title as per the Order of this Hon'ble Court dated 21.11.2022 made in Sub Application No.692 of 2022 in Cont.P.No.2169 of 2022)

Prayer : Petitions filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondents herein for willful disobedience to the order dated 21.12.2021 passed in W.P.No.29785 of 2011.

For the Petitioner : Mr.J.Muthukumran G. Meganathan

For the Respondents :

(for R1) : Mr.P.Kumaresan, AAG,  
assisted by  
Mrs.S.Mythreyechandru, Spl.G.P.

(for R2) : Mr.P.Srinivas

### ORDER

The contempt petition has been instituted to punish the respondent for willful disobedience to the order dated 21.12.2021 passed in W.P.No.29785 of 2011, passed by this Court which reads as follows:

*The Deputy Commissioner of Police, Traffic South, St Thomas Mount, Chennai 16, filed a compliance report before this Court. The said report reveals that pursuant to the directions issued*



WEB COPY



Cont.P.No.2169 of 2022

*by this Court, all actions are taken and special squad is constituted to ensure free flow of traffic in GST Road. In respect of offenses, actions are taken swiftly and parking of vehicles on the GST Road is also controlled effectively.*

*2. The report further states that in coordination with the Officials of the Pallavaram Municipality (Now Tambaram Municipal Corporation) the irregularities or illegalities of parking and encroachments are addressed.*

*3. The learned counsel appearing on behalf of the 2 respondent, Municipality made a submission that the validity of the license are also verified. In the event of any violation all suitable actions are to be taken. It is needless to state that such actions must be consistent and periodical as the encroachments in GST Road must be prevented.*

*4. Commercial establishments in foot path or abutting the road must be viewed seriously and thus encroachments must be evicted immediately. The authorities competent are bound to ensure that current position of free flow of traffic continues without any hindrance, in future.*

*5. Accordingly, no further orders are required and the reports are taken on file.*



Cont.P.No.2169 of 2022

WEB COPY 2.The writ petitioner is Chrompet G.S.T.Salai, Pudukkottai Nager Siruthozhil Vyaparigal Sangam, and the grievance of the petitioner is that the authorities competent/respondents are ineffective in implementing the orders resulting in depriving free pathway to the people who all are using the GST Road at Chrompet.

3.The learned Additional Advocate General appeared in the contempt petition and periodically informed this Court about the implementation of the orders passed by this Court. The Inspector of Police Tambaram (traffic police station) filed an affidavit on behalf of the second respondent stating that several measures were taken for effective control of traffic in that location and actions are being taken then and there to avoid traffic congestion in GST road.

4.The affidavit filed on behalf of the first respondent/commissioner of police reads as under:



WEB COPY



Cont.P.No.2169 of 2022

*2.I further submit that based upon the orders of this Hon'ble Court the 2<sup>nd</sup> respondent have formed special teams to monitor the free flow of traffic and for removal of encroachments in the roadside as follows:*

*(a) Nearly 20 Police Personnel are deployed daily in the Chrompet range itself for 2 kms alone. Apart from Chrompet range, next is Pallavaram range in which 10 policemen are deployed daily for approximately 2 kms.*

*(b) One Inspector vehicle makes frequent trips in the Highways.*

*(c) Four marshals (2 wheeler moving patrol) are deployed regularly.*

*(d) Nearly 150 "No Parking" boards had been installed from Pallavaram to Tambaram and especially in this range 50 boards had been installed.*

*(e) Apart from the above traffic vehicles, the Law and Order Patrol jeep also makes regular movement in the Highways.*

*I further submit that the above measures were effectively implemented and regularly monitored by the 2<sup>nd</sup>*



WEB COPY

*respondent.*

*3.I further submit that from January, 01.01.2022 till 20.12.2022, a total of 8817 cases were registered out of which 2617 cases were registered for no parking violation and 6200 cases were registered for obstruction of road.*

*4.I further submit that based on the above registration of cases, Rs.3,73,300/- (Rupees Three Lakhs Seventy three thousand Three Hundred) were recovered as fines from the violators and obstructers and further fines from the other persons are also yet to be recovered.*

5.The learned counsel appearing on behalf of the commissioner Tambaram Corporation made a submission that notices were issued to the commercial establishments to provide adequate parking facilities in accordance with the provisions of the Act and rules, failing which the trade licenses will be canceled. Some commercial establishments have already provided parking facilities to their customers and few commercial establishments informed that they are not in need of any such parking facility since their nature of business does not require such facility. In respect of



Cont.P.No.2169 of 2022

parking of vehicles on the road, the Tambaram Municipal Corporation says that the police department has to take further action by registering cases and imposing fines for illegal or irregular parking of vehicles on the GST road.

6.In view of the affidavit filed on behalf of the Commissioner of Police Tambaram, this Court does not find any further reason to proceed with the contempt petition. However, it is made clear that the actions initiated, as stated in the counter affidavit, must be continued with the cooperation of the local authorities and the police department and the free flow of traffic on GST road shall be ensured in the public interest enabling the road users to have free access. In view of the action taken to implement the orders passed by this Court, no further consideration is required and consequently, the contempt petition stands closed. Consequently, connected miscellaneous petition is closed.

09.01.2023

Index : Yes/No

sha



WEB COPY



Cont.P.No.2169 of 2022

**S.M.SUBRAMANIAM,J**

*sha*

Contempt Petition No.2169 of 2022

09.01.2023