



Contempt Petition No.2160 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.09.2023

Coram

The Honourable Mr. Justice **S.VAIDYANATHAN**
and
The Honourable Mr. Justice **V.LAKSHMINARAYANAN**

Contempt Petition No.2160 of 2023

Majestic Brindavan Residential Apartment
Represented by its President
N.A.Jaikumar, S/o.N.K.Aravamudan
Flat No.4, New No.6,
Old No.24, DR Nair Road,
T.Nagar, Chennai- 600 017.

.. Petitioner

vs

Mr.Anshul Mishra, I.A.S,
The Member Secretary
Chennai Metropolitan Development Authority (CMDA)
Thalaythu Natarajan Building,
No.1, Gandhi Irwin Bridge Road,
Chennai- 600 008.

..Respondent

Contempt Petition filed under Section 11 of the Contempts of Courts Act, to punish the Respondents for having committed Contempt of Court for disobeying the Order made in W.P.No.19296 of 2020 dated 28.02.2023, in accordance with law.



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For Petitioner : Ms.K.S.Kamakshi
For Respondent : Mr.C.N.Vinoba
Standing Counsel (CMDA)

ORDER

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

This Contempt Petition has been filed on the ground that the order passed by this Court on 28.02.2023 in W.P.No.19296 of 2020 has not been complied with.

2. Today, when the matter was taken up for hearing, the learned counsel for the Respondent produced a communication of the Respondent dated 17.08.2023, addressed to the 4th Respondent in the Wit Petition, wherein it is stated as follows:

"Further, the co-owners of Majestic Brindavan Residential Apartments filed a writ petition before the Hon'ble High Court in W.P.No.19296 of 2021 requesting CMDA and GCC to initiate action against unauthorized construction made in Ground Floor by the applicant. The Hon'ble High Court in its order dated 28.2.2023 dismissed the writ petition with liberty to the petitioners to file objection to the regularisation application filed by the applicant to CMDA.

In the U.O. Note received from the Enforcement



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Cell, the co-owners of M/s.Majestic Brindavan Residential Apartments represented by its President have issued Pre-Contempt Notice of CMDA claiming that appropriate action has been initiated with respect to the objections filed by them to reject the regularisation application of the Ground Floor commercial portion and to demolish the same to restore car parking facility for the co-owners.

In view of the above facts, the regularisation for the individual Commercial flat constructed in the Ground Floor by converting the car parking is rejected."

3. Recording the proceedings of the Respondent dated 17.08.2023, this Contempt Petition stands closed.

(S.V.N.,J) (V.L.N.,J)
20.09.2023

arr

To

Mr.Anshul Mishra, I.A.S,
The Member Secretary
Chennai Metropolitan Development Authority (CMDA)
Thalaythu Natarajan Building,
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