



Cont.P.No.2321 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.02.2023

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Contempt Petition No.2321 of 2022

S.Sivaprasad

.. Petitioner

Vs

- 1.K.Sivakumar,
Commissioner,
Erode City Municipal Corporation,
New No.246, Old No.894,
Brough Road, Erode-638 001.
- 2.M.Shanmughavadivu,
Assistant Commissioner,
Zone IV, Erode City Municipal Corporation,
Kasipalayam, 14, Nehruji Street,
Moolapalayam, Erode-638 002.
- 3.A.Saravanelraj, I.A.S.,
Director,
Directorate of Town and Country Planning,
No.807, Anna Salai,
Chennai-600 002.



Cont.P.No.2321 of 2022

WEB COPY

4.N.R.Thiagarajan,
Assistant Director,
District Town and Country Planning Department,
Chennimalai Road,
Erode – 638 009.

5.H.Krishnanunni,
District Collector,
Erode District Collectorate Campus,
Erode – 638 011.

6.M.Sathishkumar,
Revenue Divisional Officer,
Erode Sub Division,
Chidambaram Colony,
Erode – 639 001.

7.A.Mathuram,
City Engineer,
Erode City Municipal Corporation,
New No.246, Old No.894, Brough Road,
Erode – 638 001.

8.M.Sampath Kumar

.. Respondents

Prayer: Petition filed under Section 11 of the Contempt of Courts Act to punish the respondents for the willful disobedience of the order of this Court dated 15.2.2022 passed in W.P.No.2545 of 2022.

For the Petitioner : Mr.S.Jeyakumar

For the Respondents : Mr.Rajamathivanan
Standing Counsel
for respondent Nos.1,2 & 7
: Mrs.R.Anitha



WEB COPY



Cont.P.No.2321 of 2022

Spl. Government Pleader
for respondent Nos.3 to 6

ORDER

(Order of the Court was made by the Hon'ble Acting Chief Justice)

This contempt petition has been filed by the petitioner complaining disobedience of the order dated 15.2.2022 passed by this Court in W.P.No.2545 of 2022.

2. Learned counsel for the petitioner would submit that despite the direction of this Court that no construction should be raised by respondent No.8 till the time his application dated 10.12.2021 is considered by the competent authority, violating such direction of this Court, respondent No.8 has put up construction without obtaining proper planning permission. Therefore, the respondents have willfully disobeyed the order of this Court dated 15.2.2022 passed in W.P.No.2545 of 2022, which warrants initiation of contempt proceedings against them.

3. *Prima facie*, the contempt petition is bereft of material particulars. When the petitioner complained of violation of the order



Cont.P.No.2321 of 2022

of this Court, it is his bounden duty to state either in the contempt notice dated 3.8.2022 issued to the respondents or in the affidavit filed in support of the contempt petition, as to what is the violation. No shred of material has been produced to substantiate the infraction of the order passed by this court. Therefore, we find no merits in this contempt petition.

4. Accordingly, the contempt petition is dismissed.

(T.R., ACJ.) (S.S.K., J.)
21.02.2023

Index : Yes/No
bbr



WEB COPY



Cont.P.No.2321 of 2022

T.RAJA, ACJ
AND
SATHI KUMAR SUKUMARA KURUP, J.

bbr

Cont.P.No.2321 of 2022

21.02.2023