



SUB A(MD). No.34 of 2023

WEB COPY

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction**

Friday, the Eighteenth day of August Two Thousand and Twenty Three

PRESENT

**The Hon`ble Mr.Justice S.S.SUNDAR
AND
The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY**

**SUB A(MD). No.34 of 2023
in
Cont.P.(MD)No.1065 of 2022**

Aibea Nagar (Paravai) Residents
Welfare Association Represented by its
Secretary Mr. K.Alagarsamy
Plot No. 396 Aibea Nagar B Colony Paravai,
Madurai District.

... Petitioner/Petitioner

Vs

1. Shiv Das Meena I.A.S.,
Additional Chief Secretary to Government
Municipal Administration and Water Supply
Department Government of Tamil Nadu Fort
St. George Chennai.

2 S. Aneesh Sekar, I.A.S.,
District Collector Madurai District.



SUB A(MD). No.34 of 2023

3 S. Sethuraman,
Assistant Director of Town Panchayats
Madurai District Collectorate Complex
Madurai.

4. Poongodi Murugu,
Executive Officer Paravai Town Panchayat
Madurai District.

5. A.R. Ravi,
General Secretary Aibea Nagar (Paravai)
Aibea Nagar B Colony Residents Welfare
Protection Society
7-3-243 IBEA Nagar B Colony, 4th Street
Paravai Madurai District.

... Respondent/Contemnors

Prayer in Sub Application(MD)No.34 of 2023 :-

This Sub Application filed under Section 151 of C.P.C., 1908, to reopen the contempt petition (MD).No.1065 of 2022 which was closed on 18-11-2022 and pass such further or other order as this Hon`ble Court may deem fit and proper in the circumstance of the case, and thus render justice.

Prayer in Cont.P(MD)No.1065 of 2022:

Contempt Petition filed under Section 11 of Contempt of Courts Act, to punish the respondents for the act of contempt committed by them wilfully disobeying the interim injunction of this Court passed in W.M.P(MD)No.12090 of 2016 in W.P(MD) No.16602 of 2016, dated 01.09.2016.

Prayer in WMP(MD). 12090 of 2016 :

This Miscellaneous Petition filed under Article 226 of the Constitution of India, To grant an order of Interim injunction restraining the respondents from forming a road through the park site having an extent of 10,586 sq.ft of land situated in Old Survey NO. 139/1 corresponding to UDR Survey No. 140/1A forming part of the



SUB A(MD). No.34 of 2023

approved lay out plan NO. 355/1986 dated 13.06.1986 located in AIBEA Nagar , B Colony, Paravai, Madurai North Taluk, Madurai District.

Prayer in WP(MD). 16602 of 2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of mandamus, forbearing the respondents from forming a road through the PARK SITE having an extend of 10,586 sq.ft of land situated in Old Survey NO. 139/1 corresponding to UDR Survey No. 140/1A forming part of the approved lay out plan NO. 355/1986 dated 13.06.1986 located in AIBEA Nagar , B Colony, Paravai, Madurai North Taluk, Madurai District and gifted to the 4th respondent under a Settlement Deed dated 28.11.2000 registered in Doc. No. 2941 of 2000 on the file of the Joint Sub Registrar, Madurai North and preserve the park site.

ORDER:- This Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.N.Dlipkumar, Advocate for the Petitioner and Mr. P.Thilak Kumar, Government Advocate for the respondent Nos.1 to 4 and Mr. G.Prabhu Rajadurai, Advocate for 5th respondent, this Court made the following order:

“In view of the order dated 18.08.2023 passed by this Court in W.P.(MD)

No.16602 of 2016, this sub application is closed.”

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/09/2023

Sub Assistant Registrar(CS)

Krk



TO
WEB COPY



SUB A(MD). No.34 of 2023

1. The Additional Chief Secretary to Government
Municipal Administration and Water Supply
Department Government of Tamil Nadu Fort
St. George Chennai.
2. The District Collector Madurai District.
3. The Assistant Director of Town Panchayats
Madurai District Collectorate Complex,
Madurai.
4. The Executive Officer Paravai Town Panchayat,
Madurai District.
5. The General Secretary Aibea Nagar (Paravai)
B Colony Residents Welfare Protection Society,
7-3-243 IBEA Nagar B Colony, 4th Street,
Paravai, Madurai District.



SUB A(MD). No.34 of 2023

ORDER DATED : 18/08/2023

=====

ORDER

=====

SUB A(MD). No.34 of 2023

IN

Cont.P(MD) No.1065 of 2022

**Giving direction and etc.
as stated within.**

AMS/20.09.2023 5P 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023