



CONT.P(MD)No.576 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 15.12.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CONT.P(MD)No.576 of 2022

M.Manmohan

... Petitioner

VS.

P.M.N. Mujibur Rahuman,
Commissioner,
Tiruchirappalli City Corporation,
Main Office, Bharathidasan Road,
Cantonment, Tiruchirappalli - 620 001.

... Respondent

PRAYER: Contempt Petition filed under Section 11 of Contempt of Courts Act, 1971 to punish the contemnor for the deliberate and wilful disobedience of the order, dated 25.10.2021 passed by this Court in W.P. (MD)No.18895 of 2021.

For Petitioner	:Mr.C.Venkatesh Kumar for M/s.Ajmal Associates
For Respondent	:Mr.R.Baskaran



CONT.P(MD)No.576 of 2022

WEB COPY

ORDER

When the matter came up for hearing on 24.11.2023, this Court passed the following order:

“It was brought to the notice of this Court that survey was conducted in the presence of the petitioner on 01.12.2023.

2.The learned counsel appearing on behalf of the respondent Corporation sought for sometime to produce the report.

3.Post this case under the same caption on 15.12.2023. The report shall be served in advance to the learned counsel appearing for the petitioner.”

2.When the matter was taken up for hearing today, the learned Standing Counsel appearing for the respondent Corporation submitted that survey was conducted and the communication that was sent to the petitioner along with the relevant document was also placed before this Court.

3.The learned Counsel for the petitioner submitted that on an earlier occasion, a report was filed by stating that an extent of 214.8 sq.meters was the excess land, which was utilised more than what was acquired. Whereas, the present report states that it is 0.098 sq.meters.



CONT.P(MD)No.576 of 2022

The learned Counsel for the petitioner submitted that there cannot be such a wide discrepancy between two reports.

4.It is also mentioned here that the petitioner was not present at the time of survey. The learned Standing Counsel submitted that in spite of the petitioner being informed about the survey, the petitioner did not choose to be present at the time of survey and someone else was present.

5.In the considered view of this court, the present dispute cannot be decided in the present Contempt Petition. Ultimately, it is left open to the petitioner to challenge the proceedings of the respondent Corporation pursuant to the survey that was conducted and this Contempt Petition is closed accordingly.

Index :Yes / No
Internet :Yes / No
NCC :Yes / No

15.12.2023

cmr



WEB COPY



CONT.P(MD)No.576 of 2022

N.ANAND VENKATESH, J.

cmr

CONT.P(MD)No.576 of 2022

15.12.2023