



Cont. P.(MD) No.657 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 08.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

AND

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

Cont. P. (MD) No.657 of 2023
in W.P.(MD) No.26867 of 2022

K.Kamarunnisa Begum

... Petitioner / Petitioner

Vs.

T.Anbu Murugan

... Contemnor / 6th Respondent

PRAYER: Petition filed under Section 11 of the Contempt of Court Act, 1971, praying to punish the Respondent for the wilful disobedience of the orders of the Hon'ble Court made in Writ Petition in W.P.(MD) No.27402 of 2022 order dated 20.01.2023.

For Petitioner : Mr.R.Murali

For Respondent : Mr.S.Balaji

ORDER

(Order of the Court was made by ***R.SURESH KUMAR, J.***)

This Contempt Petition has been filed alleging disobedience of the



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orders of this Court dated 20.01.2023 made in W.P.(MD) No.27402 of 2022.

2. Despite the orders passed by this Court, it is the allegation of the petitioner that, construction was going on, therefore, he was triggered to file this Contempt Petition.

3. However, after notice, the learned counsel appearing for the respondent submits that construction was started long back and the moment they received the Court notice, they stopped it. In order to establish the said fact, the photographs taken three months back, according to the learned counsel for the respondent, has been produced before this Court.

4. On perusal we find that, there has been no recent construction, especially, after filing the contempt petition and in this context, the learned counsel appearing for the respondent has assured that, as observed in the order dated 20.01.2023 made in the Writ Petition, the respondent has already approached by filing application to get approval from the concerned planning authority and the said application is still pending and it is to be



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persuaded and only after getting proper approval and planning sanction from the competent authority under the Tamil Nadu Town and Country Planing Act, 1971, further construction would be commenced, before which, the construction would not be commenced, he has contended. The said undertaking given by the learned counsel, who appeared on behalf of the respondent is hereby taken on record.

5. In view of the said categorical assertion made by the learned counsel appearing for the respondent, recording the same, we close the Contempt Petition for the present with liberty to the petitioner to revive the same, in case if there is any further violation of the orders of this Court.

6. In view of the closing of the Contempt Petition, the statutory notice, which has already been given to the respondent to appear before this Court on 06.06.2023, where the case could not be listed, stands terminated.

(R.S.K., J.) & (R.V, J.)
08.06.2023

NCC : Yes / No
Index : Yes / No
SJ

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