



Cont.P(MD)No.698 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.04.2023

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

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R.Kannan

... Petitioner/Petitioner

-VS-

M.Senthil Murugan,
Commissioner,
Kumbakonam Municipal Corporation,
Kumbakonam,
Thanjavur District.

... Respondent/Respondent

PRAYER: Petition filed under Section 11 of the Contempt of Courts Act, 1971, to punish the contemnor/2nd respondent herein for disobedience and failure to comply this Hon'ble Court's order dated 08.11.2022 in W.P(MD)No.25260 of 2022.

For Petitioner : Mr.B.Anandan

For Respondent : Mr.M.Rajarajan,
Standing Counsel



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ORDER

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[Order of the Court was made by R.SUBRAMANIAN, J.]

Complaining that the directions issued by this Court by its order, dated 08.11.2022, have not been complied with, the petitioner has come up with this contempt petition seeking to punish the respondent for committing contempt of Court.

2. The claim of the petitioner is that encroachments have not been removed fully.

3. Mr.M.Rajaraman, learned standing counsel appearing for the Kumbakonam Municipality, would submit that the encroachment had been removed and whatever is left, is within the area of the occupants.

4. The learned counsel for the petitioner would dispute the said submission and claim that even as per the R.T.I. reply given by the municipality on 13.09.2022, there is an encroachment of 92 sq. mts.

5. Mr.M.Rajaraman, learned standing counsel had produced photographs to show that the slabs and shed put up by covering the channel have been removed. Now, the building line of the disputed



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building is in flush with the other buildings in that area. Hence, we accept the explanation offered by the Commissioner of Kumbakonam Municipality and close this contempt petition.

[R.S.M., J.] [L.V.G., J.]

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NCC : Yes/No
Index : Yes/No
PM



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pm

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