



WEB COPY

SUO MOTU CONT.P(MD)No.:



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2023

CORAM :

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

SUO MOTU CONT.P(MD)No.833 of 2023

The Registrar (Judicial),
Madurai Bench of Madras High Court,
Madurai.

... Petitioner

VS.

Kavitha Ramu I.A.S,
District Collector / Chairman,
Local Planning Authority,
Pudukkottai, Pudukkottai District.

... Respondent

PRAYER : On the basis of the direction issued in the order dated 31.03.2023, this suo motu contempt proceeding is initiated against the respondent/contemnor under Section 14 of the Contempt of Courts Act, 1971 read with Article 215 of the Constitution of India to punish the contemnor for her wilful and deliberate action of passing order, preventing the court to go into the merits of the case and thereby, interfering with the administration of justice.

For Respondent : Mr.R.Baskaran Additional Advocate General
assisted by Mr.P.T.Thiraviyam, Government Advocate

ORDER

(Order of the Court was made by R.SUBRAMANIAN, J.)

Pursuant to the statutory notice issued, the District Collector, Pudukkottai District, is present in person. She would clarify that the order dated 30.03.2023 has not been communicated to the person concerned and it will not be communicated.

<https://www.mhc.tn.gov.in/judis> 2 We cannot help observing that it is high time the officials dispose



of applications or recommendations or approvals pending before them within a reasonable time limit. In the case on hand, we find that the last of the reference made in the order dated 30.03.2023 is on 06.11.2019. The matter has been pending with the Collector's office for nearly 3 years without any development. In the meantime, the offending construction has been completed also.

3. We had, on an earlier occasion, summoned the District Collector, Sivagangai, to impress upon him the need for curbing illegal construction or construction without planning permission. We had required him to fix responsibility on the field level officers who shall be made to report such unauthorised construction or development to the higher-ups immediately, so that action could be taken. We are also informed that the Commissioner, Chennai Corporation Mr.Gagandeep Singh Bedi, I.A.S, had, in fact, prepared an SOP (Standard Operating Procedure) for prevention of illegal developments fixing responsibilities on the field level officers to report such development once in a fortnight.

4. The District Collector, Pudukkottai, is requested to implement such SOP namely, Standard Operating Procedure, in her district also, so that these kind of unauthorised construction / development does not come up, as every one of us are aware that such developments do not come up over night. We are also alive to the fact that in most of the cases, such developments come up with the active connivance or collusion of the



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officials concerned. Unless the field level officials are made responsible to report to the higher-ups, such connivance or collusion cannot be curbed. We would expect the Collector to do the needful and ensure that there is no unauthorised development particularly of a large magnitude like the one on hand in Pudukottai District in future.

5. Accepting the explanation offered by the District Collector, we drop further proceedings in the contempt. The contempt proceedings are closed. The presence of the District Collector is also dispensed with.

(R.SUBRAMANIAN, J.) & (L.VICTORIA GOWRI, J.)
28.04.2023

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To

Kavitha Ramu I.A.S,
District Collector / Chairman,
Local Planning Authority,
Pudukkottai, Pudukkottai District.



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R.SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.

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ORDER MADE IN
SUO MOTU CONT.P(MD)No.833 of 2023
DATED : 28.04.2023