



Cont. P.(MD) No.796 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.08.2023

CORAM:

**THE HONOURABLE MR.JUSTICE S.S.SUNDAR
and
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

**Cont. P.(MD) No.796 of 2020
in
W.P.(MD) No.15114 of 2018**

Ramaamirtham

... Petitioner

-VS-

Mr.Manimaliyan,
The Executive Officer,
Peravurani Town Panchayat,
O/o.The Town Panchayat,
Thanjavur District.

... Respondent

PRAYER : Petition filed under Section 11 of Contempt of Courts Act, praying to punish the Contemnors / Respondents herein for their acts of contempt committed by them for disobeying the orders of this Hon'ble Court passed in W.P.(MD) No.15114 of 2018 dated 21.10.2019.

For Petitioner : Mr.N.Dilip Kumar

For Respondent : Mr.M.Lingadurai
Special Government Pleader

O R D E R

[Order of the Court was made by S.S.SUNDAR, J.]

The Contempt Petition is filed alleging wilful disobedience of the order of this Court dated 21.10.2019 made in W.P.(MD) No.15114 of 2018.



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2. The petitioner has filed the Writ Petition in W.P.(MD) No.15114 of 2018 for issuance of a Writ of Mandamus, directing the second respondent to forbear the third respondent from putting up any unauthorised construction in S.Nos.13-15, Main Road, Mudapullikadu - Peravurani Town, Peravurani Town Panchayat, Thanjavur District, by strictly enforcing the stop work order issued by the second respondent in Na.Ka.No.92/2017/A2 dated 29/06/2017 and to take necessary action against the unauthorised constructions made in violation of the plan. The said Writ Petition was disposed of in the following lines:-

“4.For the aforesaid reasons, W.P.(MD)No.6268 of 2019 is allowed and notice dated 12.06.2017 is set aside with a direction to the Executive Officer, Peravoorani Town Panchayat to inspect the property in question and the construction put up by V. Senthilnathan and if there is any violation, the Executive Officer, Peravoorani Town Panchayat shall issue notice to V.Senthilnathan and proceed further in accordance with law.

5.In the light of the said direction, it goes without saying that no further construction shall be made and shall await the inspection of the Town Panchayat and the Town Panchayat shall complete the inspection within a period of three weeks from the date of receipt of a copy of this order.

6.In the light of the said direction, W.P.(MD)No.15114 of 2018 stands disposed of and no separate order is required in the writ petition. We make it clear that the aforesaid observation will not in any manner impede the case of the plaintiff or defence may be raised by the defendants before the suit, which shall be considered by the oral and documentary evidence. No Costs. Consequently,



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connected miscellaneous petitions are closed.”

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3. Learned Special Government Pleader on instructions submits that after inspection of the building as directed by this Court, the Executive Officer has found that some additional unauthorized construction was there. It is further reported that notice was issued to the individual concerned and he himself demolished the unauthorized construction. Since the construction is in existence as per the building plan approval, it is stated by the learned Special Government Pleader that the Contempt Petition may be closed.

4. From the photographs produced and the submissions made in the communication of the respondent to the learned Special Government Pleader, this Court finds that the order of this Court is complied with in letter and spirit.

5. In the said circumstances, this Contempt Petition is closed.

[S.S.S.R, J.] [D.B.C., J.]
14.08.2023

Index : Yes / No
Neutral Citation : Yes / No
sj



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S.S.SUNDAR, J.
and
D.BHARATHA CHAKRAVARTHY, J.

sj

To

Mr.Manimaliyan,
The Executive Officer,
Peravurani Town Panchayat,
O/o.The Town Panchayat,
Thanjavur District.

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