



WEB COPY

Cont.P.(MD) No.1161 of 2023

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 15.11.2023**

**CORAM:**

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM  
and  
THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

**Cont.P.(MD) No.1161 of 2023**

R.Jeba Priya

... Petitioner

-VS-

1.Agasthiyalingam  
Verkizhambi Town Panchayat  
rep.by its Executive Officer  
Kallankuzhi  
Kallankuzhi Post-629 164  
Kanyakumari District

2.S.Vijaya Raj

... Respondents

**PRAYER:** Contempt Petition is filed under Section 11 of the Contempt of Courts Act, 1971 praying to punish the respondents for the willful disobedience of the order passed by this Court in W.M.P.(MD) No.11279 of 2022 in W.P.(MD) No.15667 of 2022, dated 19.07.2022.



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For Petitioner : Mr.Y.Jagadeesh  
For Respondents : Mr.S.Kameswaran  
Government Advocate for R1  
Mr.S.C.Herold Singh for R2

**ORDER**

**[Order of the Court was made by S.M.SUBRAMANIAM, J.]**

This contempt petition has been filed alleging willful disobedience of the order, dated 19.07.2022, made in W.M.P.(MD) No.11279 of 2022 in W.P. (MD) No.15667 of 2022.

**2.** The interim order passed by this Court was to the second respondent not to proceed with the construction without prior planning permission from the local body. Since the second respondent proceeded with the construction, the petitioner is constrained to move this contempt petition.

**3.** Today, when the matter was taken up for hearing, learned counsel appearing for the second respondent submitted that the second respondent himself has removed the unauthorized construction put up by him and to that effect, he has also produced photographs before this Court.



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**4.** In view of the fact that the unauthorized construction has already been removed by the second respondent, no further adjudication is required in respect of the grounds raised in this contempt petition.

**5.** Accordingly, the contempt petition is closed. It is made clear that the second respondent shall not put up any further constructions unauthorizedly, without obtaining proper planning permission from the competent authority under the relevant statute.

**[S.M.S., J.]**

**[S.S.Y., J.]**

**15.11.2023**

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

krk

To:

Mr.Agasthiyalingam,  
Executive Officer,  
Verkizhambi Town Panchayat,  
Kallankuzhi,  
Kallankuzhi Post-629 164,  
Kanyakumari District.



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**S.M.SUBRAMANIAM, J.**  
**and**  
**S.SRIMATHY, J.**

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**Page 4 of 4**