



CONT. P(MD)No.1328 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.07.2023

CORAM

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

CONT. P(MD)No.1328 of 2023

in

W.P(MD)No.1544 of 2022

C.Bharathi

: Petitioner/Petitioner

Vs.

1.Tmt.I.S.Merchy Ramya, I.A.S.,
The District Collector,
Pudukottai District,
Pudukottai.

2.Mr.Sathish,
The Tahsildar,
Viralimalai Taluk,
Viralimalai,
Pudukottai District.

3.Mr.K.Swaminathan,
The Block Development Officer,
Viralimalai Union,
Viralimalai,
Pudukottai District.

: Respondents/Respondents



CONT. P(MD)No.1328 of 2023

Prayer:

Contempt Petition filed under Section 11 of the Contempt of Court Act, to issue notice to the respondents/contemnors for not obeying the order of this Court, dated 13.10.2022 in W.P.(MD)No.1544 of 2022 and punish the respondents/contemnors in accordance with law.

For Petitioner : Mr.D.R.Murugesan
For Respondents : Mr.J.Ashok
Additional Government Pleader

ORDER

(order of the Court was made by S.S.Sundar, J.)

The petitioner has filed a writ petition earlier in W.P.(MD)No.1544 of 2022 for issuance of a Writ of Mandamus, directing the respondent to take immediate steps to relay tar road, which is running through Agarappatti-Parukkaikuzhi Village and Annathanappatti Vadakkikalam Village, connecting Kovilpatti to Meenaveli Main Road, Viralimalai Taluk, Pudukottai District. The petitioner has earlier given a representation with the same request before the local body. The writ petition filed by the petitioner was disposed of on 13.10.2022 in the following lines:



CONT. P(MD)No.1328 of 2023

WEB COPY

“...4. Considering the limited scope of the prayer now sought for by the petitioner; without expressing any opinion on the merits of claim made by the petitioner either in the representation or in the affidavit filed in support of the Writ Petition, this Writ Petition is disposed of with a direction to the respondents 1 to 3, to consider the representation of the petitioner dated 23.12.2021, on merits and in accordance with law and pass appropriate orders with regard to laying of tar road connecting Kovilpatti to Meenaveli Main Road, Viralimalai Taluk, Pudukottai District. Such exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order. No costs.”

1.1. Alleging wilful disobedience of the order passed by this Court earlier in W.P.(MD)No.1544 of 2022, the above Contempt Petition is filed.

2. The learned Additional Government Pleader appearing for the respondents, on instructions, submitted that the petitioner's representation was considered and the estimate was also prepared. However, the scheme for laying new tar road has been included under the



CONT. P(MD)No.1328 of 2023

WEB COPY

Chief Minister's Rural Road Development Scheme. It is further stated that in the order of priority, the scheme will be implemented in a due course.

3. Since the petitioner's representation has been considered and the respondents have taken necessary steps towards implementation of project, this Court find that the direction of this Court has been complied with in its letter and spirit. This Court cannot insist the respondent to implement the scheme within the time frame as suggested by the petitioner in the contempt petition.

4. Hence recording compliance, this Contempt Petition is closed.

(S.S.S.R.,J.) & (D.B.C.,J)

25.07.2023

sjj

NCC : Yes / No

Index: Yes/No

Internet: Yes/No



CONT. P(MD)No.1328 of 2023

WEB COPY

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CONT. P(MD)No.1328 of 2023

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

sj1

CONT. P(MD)No.1328 of 2023

25.07.2023