



Cont. P.(MD) No.126 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 05.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

AND

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Cont. P. (MD) No.126 of 2023
in W.P.(MD) No.2263 of 2021

C.Kamaraj

... Petitioner

Vs.

Mr.Sivakrishnamoorthy,
The Commissioner,
Tirunelveli Corporation,
Tirunelveli District.

...Respondent

PRAYER: Petition filed under Section 11 of the Contempt of Court Act, 1971, praying to punish the contemnor for the deliberate and willful disobedience of the order dated 01.09.2021 passed by this Hon'ble Court in W.P. (MD) No.2263 of 2021.

For Petitioner : Ms.A.Afritha Fathima
for M/s.Ajmal Associates



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For Respondent : Mr.S.P.Maharajan
Standing Counsel

ORDER

(Order of the Court was made by ***R.SURESH KUMAR, J.***)

This Contempt Petition has been filed for the alleged disobedience of the orders passed by this Court dated 01.09.2021, made in W.P.(MD) No. 2263 of 2021 along with other connected Writ Petitions.

2. Today, when the Contempt Petition is taken up for hearing, Mr.S.P.Maharajan, learing Standing Counsel appearing for the respondent, would submit that, as directed by this Court, the petitioner who had been occupying as a lessee in the Mahatma Gandhi Market, which was sought to be demolished for reconstruction and accordingly it was demolished and reconstruction started, has been provided alternative accommodation on temporary basis.



3. On this context, Shop No.61 (and Shop No.62 – subject to verification) has been allotted to the petitioner, where he has already established his shop with electricity connection, of course, obtained in the name of the Corporation and started the business.

4. However, Ms.A.Afritha Fathima, learned counsel for the petitioner would submit that, even though this compliance has been made belatedly, insofar as the washroom and toilet facilities are concerned, it is yet to be provided by the respondent Corporation.

5. Insofar as the said complaint is concerned, it is a common complaint, which should emanate from all the shopkeepers, who have the temporary allotment and in this regard, the respondent Corporation shall look into the matter and make some alternative arrangements for washroom and toilet facilities for all shop holders, including the petitioner.

6. Since the compliance has already been made and shop has been established, of course, temporarily by the petitioner, where the business has already been started, we can construe that the compliance has been made



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and therefore, no further persuasive action is required in this Contemp

Petition, accordingly, it is closed.

(R.S.K., J.) & (K.M.S., J.)
05.06.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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AND

K.MURALI SHANKAR, J.

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