



Cont.P.No.363 of 2024

PRAYER : Petition filed under section 11 of the Contempt of Courts Act, to punish the respondents for willful disobedience of this Court order dated 22.09.2021 passed in WP.No.7994 of 2020 on the file of this Court.

For Petitioner : Mr.P.Dinesh Kumar
for M/s.K.Myilsamy

ORDER

[Order of the Court was made by R.SUBRAMANIAN, J]

The contempt complained of is the non-compliance with the order dated 22.09.2021 in WP.No.7994 of 2020.

2. The operative portion of the order reads as follows:

"5. Considering the prayer sought for in this writ petition and the statements of the learned counsel on either side, this Court, without going into the merits of the case, directs the respondents 1 and 2, to consider the application of the 7th respondent and grant planning permission, in accordance with law. While considering the application of the 7th respondent objections raised by the petitioner can also be taken note of."



Cont.P.No.363 of 2024

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3. The affidavit filed in support of this Petition does not disclose that permission has been granted to the seventh respondent for construction. If permission is granted without considering his objections, the petitioner can challenge the same. However, it is his claim that the seventh respondent is putting up construction without planning permission which amounts to contempt on the part of the respondents in the writ petition.

4. It seems that the grievance of the petitioner is that his objections were not considered. When permission itself is not granted, the grievance does not arise at all. Hence, this Court is of the view that no contempt is made out. Accordingly, the Contempt Petition is dismissed.

[R.S.M, J] [V.S.G., J.]
20.02.2024

Speaking Order: Yes

pvs



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R.SUBRAMANIAN, J.
and
V.SIVAGNANAM, J.

pvs

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20.02.2024