



Cont.P.No.771 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE P. DHANABAL

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Anitha

... Petitioner

Vs.

1.Mr.Radhakrishnan
The Commissioner,
Corporation of Chennai,
Ripon Building,
Chennai – 600 003.

2.Mr.Kalyanasundaram

... Respondents

*[R2 impleaded as per the order of Court made in
Sub.Appl.No.781 of 2024 in Cont.P.No.771 of 2024,
dated 19.10.2024]*

Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, to punish the respondent for committing contempt and gross disobedience of the order passed by this Court in W.P.No.13478 of 2021 dated 16.06.2023.



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For Petitioner : Mr.R.Gunasekarun
For R1 : Mr.D.B.R.Prabhu
Standing Counsel
For R2 : Mr.D.S.Rajasekaran

ORDER

(Order of the Court was made by **S.S. SUNDAR, J.**)

This Contempt Petition is filed alleging willful disobedience of the order of this Court made in W.P.No.13478 of 2021 dated 16.06.2023.

2.The petitioner has filed the writ petition for issuance of a Writ of Mandamus directing the respondent to consider the representation of the petitioner. The writ petition was disposed of by this Court in the following lines :

“4.From the counter affidavit, it is clear that the second respondent had put up construction, deviating the approved plan and also converted the lumber room into office room and the E.B room into car parking. Therefore, the first respondent is directed to take necessary action against the above deviation, under the provisions of law, within a period of twelve weeks from the date of receipt of a copy of this order, after providing



opportunities to the petitioner as well as the second respondent.”

3.It is now brought to the notice of this Court that the 2nd respondent earlier filed a writ petition in W.P.No.28343 of 2023. This Court has earlier passed an order in the said writ petition observing that the respondent has to await the orders of the Hon'ble Supreme Court since the matter regarding regularisation is pending before the Hon'ble Supreme Court. With the liberty preserved to the respondent to agitate the issue afresh after the orders passed by the Hon'ble Supreme Court on the subject matter, the writ petition filed by the 2nd respondent was disposed of. Therefore, this Court is unable to find any willful disobedience of the order passed by this Court in view of the altered circumstances. Depending upon the outcome of the pending proceedings before the Hon'ble Supreme Court, the respondents are directed to take appropriate action as per the directions of this Court in the writ petition.

4.Accordingly, this Contempt Petition is closed.



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(S.S.S.R., J.) (P.D.B., J.)
11.12.2024

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Internet : Yes

Index : Yes / No

Neutral Citation : Yes / No

To

The Commissioner,
Corporation of Chennai,
Ripon Building,
Chennai – 600 003.

S.S. SUNDAR, J.
and
P. DHANABAL, J.



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