



Contempt Petition No.864 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.04.2024

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

AND

THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR

Contempt Petition No.864 of 2024

M.Malliga

Petitioner

Vs

1. Ankul Mishra, Member Secretary,
Chennai Metropolitan Development Authority, Chennai-8
2. Prabhu Shanker, District Collector, Thiruvallur
3. Suga Puthra, Deputy Director of Town and Country Planning
Thiruvallur District
4. Bharani, Assistant Director of Panchayats, Thiruvallur
5. Mani Sekar, Block Development Officer,
Puzhal Panchayat Union, Ponneri
Thiruvallur District

Respondents

Prayer:- This Contempt Petition has been filed to punish the Respondents for the wilful disobedience of the order dated of this Court, dated 12.01.2023, passed in WP.No.30806 of 2022, under the provisions of the Contempt of Court Act.

For Petitioner : Mr.C.Prabakaran

For Respondents : Mrs.P.Veena Suresh, Standing Counsel-R1
Mr.R.Kumaravel, AGP-RR2 to 5

ORDER

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



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1. This Contempt Petition has been filed to punish the Respondents for the wilful disobedience of the order dated of this Court, dated 12.01.2023, passed in WP.No.30806 of 2022.
2. This Court heard the learned counsel on either side, considered their submissions and perused the materials placed on record.
3. In the above Writ Petition filed by the Petitioner in WP.No.30806 of 2022, seeking for issuance of a Writ of Mandamus, directing the Respondents 1 to 6 therein to take appropriate action on the unauthorised construction of the building put up by the 7th Respondent therein, this Court passed the following order:-

"6. Considering the nature of relief sought for in the present Writ Petition, the Respondents 1 to 5 are directed to inspect the property in question after issuing notice to the Petitioner and the 7th Respondent within a period of fifteen days from the date of receipt of a copy of this order and if there is any unauthorised construction put up by the 7th Respondent, the Respondents 1 to 5 shall take necessary action immediately in accordance with , within a period of eight weeks thereafter."
4. Pursuant to the above said order of this Court, the Respondents have taken appropriate action. In the mean while, the Petitioner has preferred this Contempt Petition. This Court, on 27.03.2024, directed the matter to be listed today under the caption "For Reporting Compliance".
5. The learned counsel for the Respondent submitted that the Local Body has already issued proceedings dated 03.04.2024, intimating that on 08.04.2024, the premises of the 7th Respondent would be locked and sealed. The 7th Respondent was also directed not to put into use the construction within



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three days from the date of receipt of the said proceedings. However, it is now reported that after service of notice dated 03.04.2024 on the 7th Respondent, this Court has entertained a Writ Petition filed by the 7th Respondent in WP.No.9638 of 2024 and disposed of the same, with a direction to the State Government to consider and dispose of the statutory revision said to have been filed by the 7th Respondent, who is the Petitioner in WP.No.9638 of 2024. There was also a further direction not to take any action as against the 7th Respondent till the disposal of the statutory revision filed by the 7th Respondent. In these circumstances, this Court does not find any wilful disobedience of the order of this Court, as alleged by the Petitioner and hence, this Contempt Petition is liable to be closed. However, the Respondents are directed to take appropriate action, depending upon the outcome of the statutory revision, within a period of four weeks from the date of receipt of the final order from the State Government.

6. With the above observations and directions, this Contempt Petition is closed.

No costs.

(S.S.S.R.J.) & (N.S.J.)
10.04.2024

Index:Yes/No
Web:Yes/No
Speaking/Non Speaking
Neutral Citation: Yes/No
Srcm



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S.S.SUNDAR, J.
and
N.SENTHILKUMAR, J.

Srcm

To

1. Ankul Mishra, Member Secretary, Chennai Metropolitan Development Authority, Chennai-8
2. Prabhu Shanker, District Collector, Thiruvallur
3. Suga Puthra, Deputy Director of Town and Country Planning, Thiruvallur District
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