



Cont.P.No.2642 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.S.SUNDAR
AND
THE HONOURABLE MR. JUSTICE P.DHANABAL

Contempt Petition No.2642 of 2024

1.G.Kalidass Goundar
2.K.Ganesh

.. Petitioners

Vs

1.S.Arunraj, IAS,
The District Collector,
Chengalpattu District,
Chengalpattu-603 001.

2.P.Subha Nandhini,
The District Revenue Officer,
Chengalpattu Division-603 306.

3.A.Thiagarajan,
The Revenue Divisional Officer,
Maduranthagam Division,
Chengalpattu District-603 306.



Cont.P.No.2642 of 2024

4.Rajesh,
The Thasildar,
Madurandhagam Taluk,
Chengalpattu District-603 306.

5.Muruga Boopathy,
The Sub Registrar,
Sub Registrar Office,
Acharapakkam-603 301.

6.R.Ragul Kumar,
The Director,
Chengalpattu District Town and Country Planning Office,
No.124, GST Road, Periyar Shopping Complex,
Chengalpet-603 001.

7.R.Vijaya Kumar,
The Commissioner of Municipality,
No.7, Sunampedu Road, Madhurantagam,
Chengalpattu District-603 306.

8.Prakash,
Block Development Officer,
GST Road, Near Bus Depot and BSNL Office,
Acharapakkam, Madhurantagam,
Chengalpattu-603 306.

9.Devan Vedachalam,
The Assistant Director,
Tamil Nadu Electricity Board,
135, Car Street, Acharapakkam,
Madurantagam-603 306.

10.V.Mohan @ Rajendran

.. Respondents



Cont.P.No.2642 of 2024

Prayer : Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondents for willfully and deliberately disobeying the order dated 14.6.2023 passed in W.P.No.14863 of 2022.

For Petitioners : Mr.M.Y.Muhammed Rafi

For Respondents : Mr.A.Selvendran
Spl. Government Pleader
for respondent Nos.6 and 8

: Respondent Nos.1, 2, 3, 4, 5, 7 &
9 – Given up

: No appearance
for respondent No.10

ORDER

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

This contempt petition is filed alleging willful disobedience of the direction of this Court dated 14.6.2023 in W.P.No.14863 of 2022.

2. The writ petition filed by the petitioners for issuance of a writ of mandamus directing respondents 6 to 8 to remove the unauthorised



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construction constructed in the public property was disposed of by this Court with the following order:

“7. Considering and recording the above submission and the statement made by the tenth respondent we inclined to pass the following order.

i) The sixth respondent is directed to proceed further, consequent to the notice issued to the tenth respondent under Section 56 and 57 of the Tamil Nadu Town and Country Planning Act, unless the tenth respondent produced any specific documents, proving that he has filed an appeal before the appellate authority.

ii) In the meantime, as per the undertaking given by the tenth respondent, the tenth respondent is directed to vacate the encroached portion in the promboke land in question, within a period of eight weeks from the date of receipt of a copy of this order.

iii) If the tenth respondent failed to vacate the encroached portion, the 8th respondent/Block Development Officer, Acharapakkam, Madurantagam is directed to take necessary action for removal of such encroachment.”

3. After the contempt petition was moved, learned Special Government Pleader, who accepted notice on behalf of respondents 6 and 8, took time to report compliance. Even though substantial portion of building which was unauthorisedly put up by the private respondent was demolished,



Cont.P.No.2642 of 2024

it is contended by the petitioners that a part of the building is yet to be demolished. Learned Special Government Pleader submitted that the remaining portion of the building has also been demolished and the Tahsildar has now given instructions to the effect that the entire encroachment and unauthorised construction on the road margin had been removed as per the direction of this Court.

4. Recording the submission of learned Special Government Pleader and the contents of the communication dated 20.12.2024 reporting compliance, the contempt petition is closed. There shall be no order as to costs.

(S.S.SUNDAR J.)

(P.DHANABAL J.)

21-12-2024

Index : Yes/No

NC : Yes/No

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S.S.SUNDAR,J.
AND
P.DHANABAL,J.



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Cont.P.No.2642 of 2024

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Cont.P.No.2642 of 2024

21.12.2024