



WEB COPY



Cont.Petn.No.1801 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.08.2024

CORAM :

THE HON'BLE MR. D.KRISHNAKUMAR, ACTING CHIEF JUSTICE

and

THE HONOURABLE MR.JUSTICE P.B.BALAJI

Cont.Petn.No.1801 of 2024

J.Krishnakumar

... Petitioner

Vs.

Mr.Senthil Kumaran (In-charge),
The Commissioner, Pollachi Municipality,
Palakkad Road, Pollachi 642 011.

... Respondent

PRAYER: Contempt petition filed under Section 11 of the Contempt of Court Act to punish the respondent for his willful disobedience and non compliance of the order passed by this Court in W.P.No.227 of 2024, dated 05.01.2024.

For Petitioner : Ms.V.Srimathi

For respondent : Mr.Haja Nazirudeen,
Additional Advocate General
assisted by
Mr.B.Anand



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ORDER

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This contempt petition has been filed by the petitioner to punish the respondent for his willful disobedience and non compliance of the order passed by this Court in W.P.No.227 of 2024, dated 05.01.2024.

2. The above said writ petition was filed seeking direction to the official respondents to remove the unauthorised constructions made by the private respondents in and around the Pollachi Municipality and it was disposed of by observing that in and by which, it was observed that "*if the officers of the fourth respondent Municipality do not take prompt action against the illegal constructions, though having issued earlier notices, then the same would be viewed seriously*".

3. The learned Additional Advocate General filed a status report stating that, subsequent to the order passed by this Court in W.P.No.227/2024, dated 05.01.2024, notices were issued to the building owners and some of the owners filed revision under Section 80-A of the Town and Country Planning Act and also filed writ petitions and obtained

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status-quo order till the disposal of the statutory revision filed by them, vide orders dated 04.03.2024 in W.P.Nos.5423, 5426 of 2024; 18.03.2024 in W.P.Nos. 5215, 5222 of 2024 and 01.08.2024 in W.P.Nos.21726, 21729 of 2024 etc. batch. He further submitted that, in view of the above said subsequent legal proceedings, the respondents are not able to comply the orders passed by this court.

4. At this juncture, the learned counsel for the petitioner submitted that totally 160 individuals have constructed the unauthorised building violating the provisions of the Town and Country, however, the respondents 6 to 11 alone have obtained the orders from the Court.

5. The learned Additional Advocate General replied that, they will proceed the action in furtherance and in accordance with law, as against the other persons, who have not obtained any interim orders, however, they will not take action against the persons, who got the interim orders, till the disposal of the statutory revision filed by them.

6. Recording the statement made by the learned Additional Advocate



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General, this contempt petition is closed.

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(D.K.K., A.CJ.)

(P.B.B.J.)

28.08.2024

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Internet: Yes/No

Index : Yes/No

mst



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THE HON'BLE ACTING CHIEF JUSTICE

and

P.B.BALAJI, J.

mst

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**28.08.2024
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