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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.12.2024

CORAM:

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

Cont.P.No.2723 of 2024

S.Rajamanickam

... Petitioner

Vs.

1.Thiru.Sivarasu IAS

The Director of Municipal Administration,
Urban Administrative Building,
75, Santhome High Road,
R.A.Puram,
Chennai – 600 028.

2.Thiru. Sivaguru Prabakaran

The Coimbatore Corporation
Rep. by its Commissioner
Town Hall Road
Coimbatore 641 001.

3.V.Sandhiya

The Assistant Commissioner
West Zone,
Coimbatore Corporation
Coimbatore 641 001.

... Respondents

[1st respondent is struck off in this contempt petition as per the order of this Court dated 20.09.2024]

PRAYER: Contempt Petition filed under Section 11 of the Contempt of the Courts Act, 1971 praying to punish the respondents for the act of contempt for



willful disobedience of the order passed by this Court in W.P.No.19362 of 2023 dated 30.06.2023.

For Petitioner : Mr.K.Rajendra Prasad

For Respondent : Mr.S.Arumugam
Government Advocate for R1

Mr.K.M.D.Muhilan
for R2 and R3

ORDER

This contempt petition has been filed complaining that the respondents had disobeyed an order of the Court dated 30.06.2023.

2.By an order dated 30.06.2023, a learned Single Judge of this Court had directed that the allotment of shops shall take place only by calling for public auction. Complaining that the shops have been allotted without calling for public auction, the contempt petition has been filed.

3.An affidavit had been filed by the 2nd respondent, wherein, it had been stated as follows:

6. I submit that this Hon'ble Court, vide its order dated 30.06.2023 passed an interim order directing that the allotment of shops shall take place only by calling for public auction. The



relevant portion of the interim order is extracted below for ease of reference;

"5. ... In the meantime, the allotment of shops shall take place only by calling for public auction."

7. I submit that unaware of the said interim order, the Coimbatore City Municipal Corporation, vide order dated 30.09.2024, allotted the newly constructed shops in favour of various third parties who were carrying on unauthorized business in the said Panneerselvam Flower Market.

8. In this regard, it is submitted that while passing the said order of allotments on 30.09.2024, the aforesaid interim order passed by this Hon'ble Court, was not brought to the knowledge of the Corporation.

9. I submit that the said Mr. Rajamancikam has filed the present Contempt Petition seeking to punish the contemnors for wilful disobedience of the aforesaid interim order dated 30.06.2023 passed in W.P. No. 19362 of 2023.

10. It is submitted that immediately upon knowing the said interim order passed by this Hon'ble Court, 7(seven) days notice bearing no328/2021/A3(W) dated 06.11.2024 for cancelation of the said orders of allotment dated 30.09.2024 has been issued to all the allottees.



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11. I humbly submit that had the respondents known about the said interim order, the said orders of allotment dated 30.09.2024 would not have been passed.

4.It is informed by the learned counsel for the 2nd respondent that on 20.11.2024, after issuing a notice dated 06.11.2024, the allotment had actually been cancelled. Since the 2nd respondent had realised the folly, I would close the contempt petition.

5.List the writ petition for advancing arguments on 21.01.2025.

19.12.2024

Internet : Yes/No
Neutral Citation : Yes/No
Speaking order : Yes
ssr

(1/2)

To

1.The Director of Municipal Administration,
Urban Administrative Building,
75, Santhome High Road,
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Chennai – 600 028.

2.The Commissioner
Coimbatore Corporation
Town Hall Road
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3. The Assistant Commissioner
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C.V.KARTHIKEYAN,J.

SSR

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