



Cont.P.No.2920 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.10.2024

CORAM :

THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

Contempt Petition No.2920 of 2024

R.Chachudhanandam

.. Petitioner

vs.

1.J.Kumaragurubaran, I.A.S.,
Commissioner,
Corporation of Chennai,
Park Town,
Chennai-600 003.

2.V.Navendhiran,
Assistant Commissioner/Zonal Officer,
Zone 1,
Thiruvottiyur,
Chennai-600 019.

3.K.M.S.Hussain,
Assistant Executive Engineer,
Zone 1,
Thiruvottiyur,
Chennai-600 019.

.. Respondents



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Prayer : Petition filed under Section 11 of the Contempt of Courts Act, 1971, to punish the respondents for willful disobedience of the order dated 28.2.2024 passed in W.P.No.4915 of 2024.

For Petitioner : Mr.S.P.Meenakshi Sundaram

For Respondents : Mr.D.B.R.Prabhu
Standing Counsel

ORDER

(Order of the Court was made
by the Hon'ble Chief Justice)

In paragraph 3 of the order dated 28th February, 2024, the following directions have been given:

“3. In the light of the said submission, the writ petition is disposed of with a direction to the respondent authorities to consider the representation of the petitioner dated 8.1.2024 after providing opportunity to the petitioner as well as the fifth respondent and, if it is found that an unauthorised construction has been put by the fifth respondent, then appropriate action in accordance with law shall be undertaken. The entire exercise shall be completed by the respondent authorities within a period of eight weeks from the date of receipt of a copy of this order. There shall be no order as to costs.”



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2. As respondents did not take action promptly, petitioner filed the present contempt petition.

3. Respondent No.3, who is the Executive Engineer, Zone-I, Thiruvottriyur, Chennai, is present in Court and is identified by Shri Prabhu. The said respondent No.3, Mr.K.M.Sahubar Hussain, has filed an affidavit dated 19th October, 2024, in which, he has detailed the action taken pursuant to the order dated 28th February, 2024. In paragraph 9, it is stated that a Lock & Seal and Demolition notice dated 16th October, 2024 under Section 57 read with Section 85 of the Tamil Nadu Town and Country Planning Act, 1971 has been issued to respondent No.5 in the writ petition, a copy whereof is tendered in Court. Shri Prabhu states that, in law, 30 days time has to be given and the 30 days will get over on or about 15th November, 2024. Shri Prabhu states that, in view of the deviations noted in the notice, action will be taken, including to demolish the building to the extent it does not meet with the approved plan.



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4. In view thereof, contempt petition is disposed of. There shall be no order as to costs.

(K.R.SHRIRAM, CJ)

(SENTHILKUMAR RAMAMOORTHY,J.)

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Index : Yes/No
NC : Yes/No
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THE HON'BLE CHIEF JUSTICE
AND
SENTHILKUMAR RAMAMOORTHY, J.

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