



Cont.P.No,2745/2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

Cont.P.No.2745/2023

V.Durgadevi

... Petitioner

Vs.

- 1.Miss/Mrs.K.Sarayu
District Collector
O/o.The District Collector
Krishnagiri.
- 2.Mr.Babu
Revenue Divisional Officer
Office of the RDO,
Uthangarai.
- 3.Mr.Thirumalairajan
Tahsildar, Office of the Tahsildar
Uthangarai, Krishnagiri District.
- 4.Mr.Sivaprakasam
The Block Development Officer
Office of the BDO, Uthagarai



Cont.P.No,2745/2023

Krishnagiri District.

5.The Assistant Director

District Town and Country Planning Office

No.25/2, Nethaji Road, Hosur 635 109.

6.Venkatachalam

7.Shanthi

8.Thenmolzi

... Respondents

****RR5 to 8 suo motu impleaded as per
order of this Court dated 18.12.2023
made in Cont.P.No.2745/2023**

Prayer : Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, to initiate contempt proceedings against the respondents for wilful and deliberate disobedience of the order passed by this Court in WP.No.34857/2022 dated 02.01.2023.

For Petitioner	: Mr.K.Stalin
For RR 1, 3 & 5	: Mr.M.Bindran, AGP
For R4	: Mr.P.Sathish
For RR 6 to 8	: Mr.R.Subramanian for Mr.Raghavan

ORDER

[Order of the Court was made by S.S.SUNDAR, J.,]

(1)The present petition is filed by the petitioner to initiate contempt proceedings against the respondents for wilful and deliberate disobedience of the order passed by this Court in WP.No.34857/2022 dated 02.01.2023.



Cont.P.No,2745/2023

(2) This Court, vide order dated 02.01.2023, directed respondents 1 to 4 herein to inspect the property in question after issuing notice to the petitioner and respondents 6 to 8 herein and to take appropriate action if it is found that the building is put up without obtaining any building permission and approval.

(3) In compliance of the above direction, a Status Report dated 20.01.2024 has been filed by the 5th respondent, Assistant Director of District Town and Country Planning Office, Hosur, indicating that pursuant to the direction of this Court in the contempt petition dated 18.12.2023, the 5th respondent has considered the representation of respondents 6 to 8 herein for building permission and after conducting an enquiry, it is stated that the representation was sent to the Director of Town and Country Planning and the Director had passed a detailed order on 10.01.2024, rejecting the representation of respondents 6 to 8 seeking building permission and Form III Notice had been issued on 27.12.2023 for rectifying the violations in the building. It is the case of the private respondents that they have filed a statutory appeal as against the order that was served on



Cont.P.No,2745/2023

them.

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(4) In such circumstances, leaving it open to the respondents 6 to 8 to seek their statutory remedy as against the order that has now been passed by the official respondents in compliance with the direction of this Court, this Contempt Petition stands **closed**. After the disposal of statutory appeal, the official respondents may enforce the order/notice which is challenged in appeal.

[S.S.S.R., J.] [N.S., J.]
23.01.2024

AP

Internet : Yes

To

1. Miss/Mrs.K.Sarayu
District Collector
O/o.The District Collector
Krishnagiri.
2. Mr.Babu
Revenue Divisional Officer
Office of the RDO, Uthangarai.
3. Mr.Thirumalairajan
Tahsildar, Office of the Tahsildar
Uthangarai, Krishnagiri District.
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Krishnagiri District.



Cont.P.No,2745/2023

5.The Assistant Director

District Town and Country Planning Office
No.25/2, Nethaji Road, Hosur 635 109.

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

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Cont.P.No.2745/2023



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Cont.P.No,2745/2023

23.01.2024