



L.P.A.No.3 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 27.03.2024

CORAM

THE HON'BLE Mr. JUSTICE R. MAHADEVAN
AND
THE HON'BLE Mr. JUSTICE MOHAMMED SHAFFIQ

L.P.A.No.3 of 2024
AND
C.M.P.Nos.6831 & 6832 of 2024

S.Parvathi

.. Appellant

Vs.

1. T.Christuraj I.A.S.
Commissioner of Corporation
O/o.The Commissioner of Corporation
Salem District
2. Selvaraj
3. Najmul Hoda I.P.S.

.. Respondents

Letters Patent Appeal filed under Clause 15 of the Letters Patent, to set aside the order dated 26.07.2023 passed in Contempt Petition No.2798 of 2022.

For appellant : Mr.G.Munuraj

JUDGMENT

(delivered by R. MAHADEVAN, J.)

The order dated 26.07.2023 passed in Cont. Petn. No.2798 of 2022 is put to assail in this letters patent appeal.



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The facts in brief could be stated thus:

2.1 Seeking a mandamus to the respondents 1 to 3 therein to provide an appropriate place for continuing the business within Salem Subash Chandra Bose ground and to allot a permanent shop at V.O.C. market complex on completion of the construction and also to provide appropriate protection by the fourth respondent therein, the appellant filed W.P.No.18650 of 2022.

2.2 When the said writ petition was taken up for hearing, the learned Special Government Pleader submitted that the names of the members of the Committee had already been identified and that formal order would be issued in a day or two. He further submitted that the petitioner's representation dated 16.05.2022 would be disposed of by the said Committee to be appointed by the second respondent.

2.3 Recording the aforesaid submission of the learned Special Government Pleader, the learned Judge disposed of the said writ petition *vide* order dated 25.07.2022 by directing the second respondent to place the appellant's representation dated 16.05.2022 before the Committee and



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thereafter, consider and pass appropriate orders on the same in terms of the decision of this Court in *R. Karuppannan v The State of Tamil Nadu, represented by its Secretary, Chennai and others (W.P. Nos.7746 of 2021 etc. batch decided on 27.04.2022)*.

2.4 Alleging noncompliance of the said order, the appellant filed Contempt Petition No.2798 of 2022, which, when taken up for hearing on 26.07.2023, the learned Standing Counsel appearing for the respondent authorities submitted that the appellant's representation had already been considered and disposed of on 12.07.2023.

2.5 Recording the said submission, the learned Judge, *vide* order dated 26.07.2023, closed the contempt petition, as nothing further survived for adjudication. Thereagainst, this letters patent appeal has been preferred by the writ petitioner/contempt petitioner.

3. Concededly, the learned Judge closed the contempt petition pursuant to the submission made by the learned Standing Counsel that the appellant's representation, which was directed to be disposed of in the writ



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petition, had been considered and disposed of on 12.07.2023. When admittedly the direction given in the writ petition was only to consider and pass orders on the appellant's representation and when the Standing Counsel for the respondents made a submission that the said representation had been disposed of, the learned Judge, as stated above, by recording the said submission, closed the contempt petition, inasmuch as, nothing survived for adjudication. Further, this Court is also informed that an allotment order, as prayed for by the appellant, has also been issued. After the filing of the contempt petition, when a development had transpired, by which, the direction given by the learned Judge had been complied with, nothing remained to be adjudicated in the contempt petition, which is why, the learned Judge has closed the contempt petition, as aforesaid.

4. In such perspective of the matter, we find no ground to interfere with the order of the learned Judge.

5. At this juncture, the learned counsel for the appellant submitted that the appellant may be granted liberty to approach the authorities to get her grievance redressed.



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6. Granting liberty as sought by the learned counsel for the appellant,

this letters patent appeal stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

[R.M.D,J.] [M.S.Q, J.]
27.03.2024

Internet : Yes

Neutral Citation : Yes/No
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