



WEB COPY



Cont.P.No.108 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

AND

THE HONOURABLE MRS.JUSTICE N.SENTHILKUMAR

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Anitha Manivasagam

Petitioner

Vs

G.Kannan, The Commissioner
Kancheepuram City Municipal Corporation
Kancheepuram 631502

Respondent

Prayer:- This Contempt Petition is filed to punish the Respondent for contempt of Court by their wilful disobedience of the order of this Court, dated 23.06.2023 made in WP.No.12923 of 2023.

For Petitioner : Mr.M.Nirmalkumar

For Respondent : Mr.Arun Dhanapalan, Standing Counsel

ORDER

(Order of the Court was made by S.S.SUNDAR, J.)

1. This Contempt Petition is filed to punish the Respondent for contempt of Court by their wilful disobedience of the order of this Court, dated 23.06.2023 made in WP.No.12923 of 2023.
2. This Court heard the learned counsel on either side and considered their submissions.
3. The above Writ Petition was filed by the Petitioner, seeking for a direction to



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the 1st Respondent, Commissioner of Kancheepuram City Municipal Corporation to take necessary action on his representations dated 11.02.2023 and 06.03.2023 in furtherance of the stop work notice issued with regard to the illegal construction being raised in S.No.215 1A3/1A4, 214, at III Cross Street, Arasu Nagar, dangerously close to his permanent address. This said Writ Petition was disposed of by the order of this Court, dated 23.06.2023, wherein in paragraph 5, this Court has directed as under:-

- “5. In the light of the above, the Status Report filed by the 1st Respondent is taken on record and this Court directs the 1st Respondent to proceed further for initiation of action for removal of unauthorised construction put up by the 3rd Respondent, after providing opportunity to the parties concerned. The aforesaid exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.”
4. The grievance of the Petitioner is that the individual has now commenced construction afresh in the alleged land and he has produced some photographs showing the same.
5. It appears from the said photographs that the entire construction put up by the 3rd Respondent as alleged in the Writ Petition was demolished. It is also seen that only a new construction has been commenced at the ground level and skeleton pillars for concreting further in the ground floor have been erected and only vertical iron rods have been erected for putting up concrete columns and it is not the previous unauthorised construction as alleged by the Petitioner in Writ Petition.
6. Therefore, this Court is of the view that the Official Respondent had complied with the order of this Court, dated 23.06.2023, by demolishing the alleged



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construction by the Petitioner in the Writ Petition and hence, there is no wilful disobedience of the order of this Court, on the part of the Respondent herein.

There is no merit in this Contempt Petition and accordingly, this Contempt Petition is liable to be dismissed.

7. In fine, this Contempt Petition is dismissed. No costs. This will not preclude the Official Respondent to initiate fresh proceedings if the ongoing construction is unauthorised.

(S.S.S.R.J.) & (N.S.J.)
08.02.2024

Index:Yes/No
Web:Yes/No
Speaking/Non Speaking
Neutral Citation
Srcm



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

Srcm

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