



Cont.P.(MD) No.164 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

CONT.P.(MD)No.164 of 2024

in

W.P.(MD)No.26841 of 2022

K.Aynkara Arumuga Vel

... Petitioner

-VS-

1.P.P.C.Sudharsan,
S/o. Chidambaram,
No.2/2178-1, Devi Nagar,
Sithurajapuram Via,
Sivakasi Town,
Sivakasi,
Virudhunagar District.
Now residing at
Door No.2-2204-38, Devi Nagar,
Sivakasi, Virudhunagar District.



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2.A.S.P.T.Maheswaran,
S/o.Thilagaraj,
Door No.48, Avani Nadar Street,
Sivakasi Town, Sivakasi,
Virudhunagar District.
Now residing at
Door No.2 – 1457G, Ramasamy Nagar,
Vembakkottai Road,
Sithurajapumra, Sivakasi,
Virudhunagar District.

3.S.Baskaran,
S/o. Senthiyappa Nadar,
Door No.24, Arisikovalan Street,
North Car Street, Sivakasi Town,
Sivakasi, Virudhunagar District.

4.G.Senthilrajan,
S/o. Ganesapandian,
No.2/2327-A, Girathayammal Nagar,
Sithurajapuram, Sivakasi Town,
Sivakasi, Virudhunagar District.

... Respondents

PRAYER: Contempt Petition is filed under Section 11 of the Contempt of Courts Act praying to punish the contemnors / respondents for their willful



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disobedience of the order dated 12.12.2022 made in W.P.(MD)No.26841 of 2022, on the file of this Court.

For Petitioner : Mr.S.M.Anantha Murugan

O R D E R

[Order of the Court was made by D.KRISHNAKUMAR, J.]

Alleging willful disobedience of the order dated 12.12.2022, passed by this Court in W.P.(MD)No.26841 of 2022, this contempt petition is filed.

2.The petitioner has earlier filed a contempt petition in CONT.P.(MD)No.1891 of 2023, before this Court, wherein this Court in paragraph No.5 has stated as follows:

'5.We have gone through the proceedings of the District Collector, Virudhunagar District dated 26.07.2023, which would reveal that permission was granted to the respondents to carry out the renovation work in the temple, under Rule 6(4) of the Tamil Nadu District Municipalities Building Rules, 1972. Pursuant to the said proceedings of the District Collector, the



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Commissioner, Sivakasi Corporation has also granted no objection certificate to the respondents to carry out renovation work in the temple, vide proceedings dated 18.08.2023. Thus, we are of the view that the respondents have complied with the directions issued by this Court and we do not find any disobedience or otherwise on the part of the respondents.'

3.Now, the petitioner has filed second contempt petition before this Court contending the very same grounds that the respondents have not obtained any planning permission from the local body. When the aforesaid contempt petition has been closed by this court, the second contempt petition cannot be entertained and there is no proof to substantiate the reasons stated by the petitioner.

4.The petitioner has also filed some documents in the typed set of papers which contains the NOC obtained from the District Collector and permission obtained from the local body. In the earlier order also this has been recorded. But without verifying the same the petitioner has come up with this second contempt petition. We are of the view that there is no willful disobedience of the order passed by this Court.



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5. Accordingly, this Contempt petition is closed with a cost of Rs.5000/- to the Legal Services Authority attached to this Court.

[D.K.K., J.] & [R.V., J.]
23.02.2024

NCC : Yes / No
Index : Yes / No
Internet: Yes / No
MR



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D.KRISHNAKUMAR, J.
and
R.VIJAYAKUMAR, J.

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