



CONT P No. 709 of 2017



IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 24-03-2025

CORAM

THE HONOURABLE MR JUSTICE J.SATHYA NARAYANA PRASAD

CONT P No. 709 of 2017

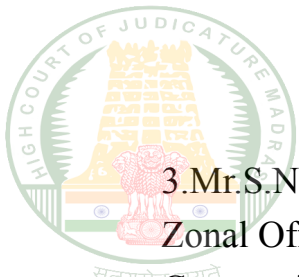
Mr.A.Dasarathan,
Son of Appu,
No.6,Arumugam Street,
Barathi Block, Jafferkhanpet,
Chennai-600 083.

Petitioner(s)

Vs

1. Dr.D.Karthikeyan, I.A.S
Commissioner,
Corporation of Chennai,
Ribbon Building, Park Town,
Chennai 600 003.

2.Thiru.V.Arun Roy, I.A.S
Managing Director,
Chennai Metropolitan Water Supply
and Sewerage Board,
Pumping Station Salai,
Chindadripettai, Chennai 600 002.



3.Mr.S.Natarajan,
Zonal Officer, Zone-10,
Corporation of Chennai,
NSK Salai, Kodambakkam,
Chennai-600 024.

4.Thiru V.Anbuselvan, I.A.S,
District Collector, Chennai 600 001.

Contemnor(s)

PRAYER: Contempt Petition is filed under Section 11 of Contempt of Court Act, 1971, to punish him for disobedience of order dated 10-11-2016 passed in W.P.No.34389 of 2016.

For Petitioner(s): M/s.P.Thirupathi Raj

For Respondents: Mr.M.Suresh Kumar
Additional Advocate General
Assisted by M/s.K.Ashwini Devi
for R1 and R3
M/s.N.Paul Sunder Singh,
Standing Counsel for R2

ORDER

This Contempt Petition is filed to punish the respondents for disobedience of order dated 10.11.2016 passed in W.P.No.34389 of 2016.

2. Today, when the matter is taken up for hearing, the learned Additional



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Advocate General appearing for the respondents 1 & 3 submitted that, challenging the order dated 10.11.2016 in W.P.No.34389 of 2016, appeal has

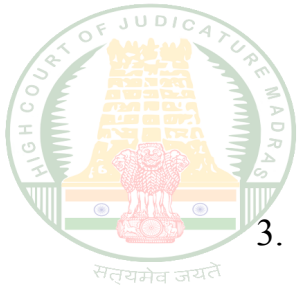
been preferred by the respondent Corporation, and the same is allowed by this

Court vide order dated 26.07.2023. The relevant portion of the order is extracted

hereinunder:

“13. We have already noticed that the authorities have offered to issue a TDR certificate to the Writ Petitioner in lieu of compensation. The learned Single Judge has rightly held that the act of the appellants cannot be termed as an encroachment since the property was entered upon only for public purposes and the land is being used as a road for past 25 years. We therefore feel that it would be just and proper to direct the Writ Petitioner to submit a representation to the appellants within a period of two weeks from the date of receipt of a copy of this judgment, choosing to accept the offer of issuance of TDR certificate in lieu of compensation proportionate to the land area lost by the Writ Petitioner, however, if the Writ Petitioner is not willing to accept the TDR certificate being offered by the appellants, then it shall be open to the Writ Petitioner to approach the Civil Court seeking appropriate compensation. In the event of the Writ Petitioner agreeing to accept the TDR certificate, then the appellants shall issue the necessary TDR certificate to the Writ Petitioner within a period of four weeks from the date of receipt of a copy of this judgment. Otherwise, the Writ Petitioner will be at liberty to approach the competent Civil Court and seek compensation. In view of the time lost in prosecuting the Writ Proceeding limitation shall not be put against the Writ Petitioner if the suit is filed within 3 months from the date of the receipt of a copy of this judgment.

14. For the foregoing reasons, Writ Petition is dismissed and Writ Appeal is allowed with the above directions. No costs. Consequently, connected miscellaneous petitions are closed.”



3. Heard the learned counsel on either side and perused the materials available on record.

4. In view of the above, the Contempt Petition stands closed. No costs.

24-03-2025

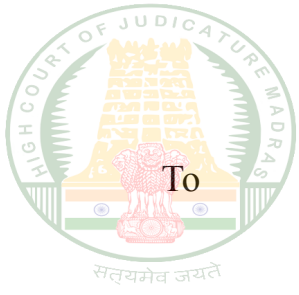
Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

jd



To

WEB COPY 1. Dr.D.Karthikeyan, I.A.S

Commissioner,
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Ribbon Building, Park Town,
Chennai 600 003.

2.Thiru.V.Arun Roy, I.A.S
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**J.SATHYA NARAYANA
PRASAD J.**

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