



WEB COPY

LPA No. 4 of 2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-01-2026

CORAM

**THE HONOURABLE MR JUSTICE P. VELMURUGAN
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

**LPA No.4 of 2022
AND
CMP No.6383 of 2022**

D.Manivannan
No.TD-83, Anna Fruit Market,
Koyambedu Whole Sale Market Complex,
Chennai - 600092.

Appellant

Vs

1. Mr.Anushal Mishra
Member Secretary
Chennai Metropolitan Development
Authority
Thalamuthu Natarajan Building
No.1, Gandhi Irwin Road, Egmore
Chennai - 600008.
2. Ms.M.Lakshmi
Chief Executive Officer (KWMC)
Chennai Metropolitan Development
Authority
Thalamuthu Natarajan Building
No.1, Gandhi Irwin Road, Egmore
Chennai – 600008.
3. Ms.S.Shanthi
Chief Administrative Officer
Chennai Metropolitan Development
Authority
Thalamuthu Natarajan Building
No.1, Gandhi Irwin Road, Egmore
Chennai - 8.

Respondents



Letters Patent Appeal filed under Clause 15 of the Letters Patent, to set aside the order dated 20.12.2021 made in Contempt Petition No.1498 of 2021.

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For Appellant: Mr.A.Karthik Lakshmanan

For Respondents: Mr.C.Manoharan
Standing Counsel for R1 & R2
Mr.J.Ravindran
Additional Advocate General
assisted by Mrs.P.Veena Suresh
Standing Counsel for R3

ORDER

(Order of the Court was made by P.Velmurugan J.)

While closing the contempt petition vide order 20.12.2021, the learned single Judge passed the following order:-

“7. In the considered view of this Court, this Court had only passed the Interim Order to maintain status quo as on 27.10.2021. A specific stand has been taken by CMDA to the effect that the shop was locked and sealed as early as on 21.10.2021. Photographs have also been filed evidencing the locking and sealing of the shop. Therefore, according to CMDA, the status as on 27.10.2021 was that the shop had already been locked and sealed and the petitioner was not in possession of the shop. It must also be borne in mind that the CMDA has taken a very specific stand that the petitioner does not possess a license to occupy the shop. If the petitioner had taken advantage of the interim order passed by this Court and forcibly entered into the shop thereafter, the CMDA cannot express helplessness because of the interim order passed by this Court. The



interim order passed by this Court cannot be a premium for committing illegality.

8. In view of the above discussion, this Court does not find any contumacious conduct on the part of the CMDA and the petitioner has to necessarily agitate his rights only in the pending writ petition.

In the result, the Contempt Petition is closed.”

2. When the remedy has already been made available to the appellant to agitate his rights before the writ Court in the pending writ petition, this letters patent appeal is dismissed finding no infirmity in the order passed by the learned single Judge. Consequently, the connected civil miscellaneous petition is also dismissed.

(P.VELMURUGAN J.) (M.JOTHIRAMAN J.)
30-01-2026

Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No

SS



To

1. Member Secretary,
Chennai Metropolitan Development
Authority,
Thalamuthu Natarajan Building,
No. 1, Gandhi Irwin Road, Egmore,
Chennai - 600008.

2. Chief Executive Officer (KWMC),
Chennai Metropolitan Development
Authority,
Thalamuthu Natarajan Building,
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3. Chief Administrative Officer,
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