



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-05-2026

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THE HON'BLE MR.JUSTICE V. LAKSHMINARAYANAN

Sub-Appl.No. 567 of 2026

in

Cont.P.No. 265 of 2026

Mr. Balaji Maradapa,
S/o. Lakshmana Murthy,
Golden Gate, No.35, Habibulla Road,
T.Nagar, Chennai 17.

..Applicant

Vs

Tmt. R.Saranya,
The Commissioner,
Avadi Corporation,
Avadi, Chennai - 600 054.

..Respondent

PRAYER: Sub-Application has been filed under Section 151 of C.P.C to reopen the Contempt Petition No. 265 of 2026 which was closed on 25.02.2026.

For Applicant:

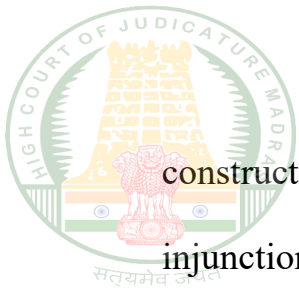
Mr. C.Umashankar

For Respondent:

Mr.A.Gopinath
Standing Counsel

ORDER

Alleging a violation of the order dated 16.10.2025 in W.M.P.No.44375 of 2025 in W.P.No.39509 of 2025, Contempt Petition No.265 of 2026 was presented. When I took up the contempt petition for hearing, Mr.A.Gopinath, appearing for the contemnor, filed an affidavit undertaking that, whatever



constructions had been taken place in violation of the order of interim injunction, had been removed and that the land had been restored to its original status as on the date of passing of the interim order. Recording the said submission, I closed the contempt petition.

2. Thereafter, the present Sub-Application was filed, stating that after the contempt petition was closed, the respondent yet again violated the order of interim injunction. It was alleged that the respondent took advantage of the Court's vacation and proceeded further.

3. Being satisfied with the photographs produced, pointing out the violation of the orders of interim injunction, I called Mr.C.Umashankar, who served the papers on Mr.A.Gopinath. Mr.A.Gopinath has filed two Government Orders.

4. Mr.A.Gopinath, on instructions, stated that on account of a mistaken identity of the location where the construction materials had been placed, the contractor, engaged by the respondent, had placed the materials in the area covered by the writ petition. He added that on coming to know of the mistake, it was immediately rectified, and the construction boards, materials and other articles were removed from the site. I directed the contemnor to file an affidavit to that effect and listed the matter for today. When I took up the matter



today, Mr.A.Gopinath has filed an affidavit and photographs to substantiate the plea he made on the previous occasion. The counter affidavit filed by the contemnor is scanned and extracted hereunder :

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Contempt Jurisdiction)

Sub. Application No.567 of 2026
In
Contempt Petition No.265 of 2026
In
W.M.P. No.44375 of 2025
in
W.P. No.39509 / 2025

Mr. Balaji Maradapa,
S/o. Lakshmana Murthy,
'Golden Gate', No.35, Habibullah Road,
T Nagar, Chennai-600017

..Petitioner / Petitioner/Petitioner/Petitioner

Versus

Mrs. R. Saranya,
The Commissioner,
Avadi Corporation,
Avadi, Chennai-600054

..Contemnor/ 2nd Respondent/ 2nd Respondent/2nd Respondent

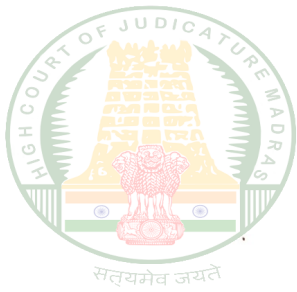
COUNTER FILED BY THE CONTEMNOR/RESPONDENT.

I, Mrs. R. Saranya, I.A.S., aged about 31 years, working as Commissioner, having office at the Avadi City Municipal Corporation, Avadi, Chennai, do hereby solemnly affirm and sincerely state as follows: -

1. I humbly submit that I am the Commissioner of the Avadi City Municipal Corporation and I am representing the Respondent/Contemnor in the above Contempt Petition. I am well acquainted with the facts and circumstances of the case through the official records maintained in the ordinary course of administration and am therefore competent to swear to this affidavit. I have read and understood the averments made in the affidavit filed in support of

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COMMISSIONER
AVADI CITY MUNICIPAL CORPORATION



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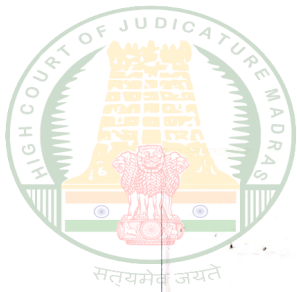
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the above Sub-Application in the Contempt Petition. Save and except those allegations that are specifically admitted herein, all other allegations, averments and insinuations contained therein are denied as false, incorrect and misleading.

2. I respectfully submit that I have the highest regard for, and utmost respect towards, the orders passed by this Hon'ble Court. At no point of time have I intended to violate, disobey or transgress the orders passed by this Hon'ble Court. Without prejudice to the above, and irrespective of any other contention, I hereby tender my unconditional and unqualified apology for any act or omission, in the event this Hon'ble Court comes to the conclusion that there has been any violation of the orders passed by this Hon'ble Court. I humbly submit that any such act, if at all construed as a violation, was neither wilful nor intentional, but purely inadvertent and bona fide in nature.
3. I further humbly submit the following facts for the kind consideration of this Hon'ble Court with a view to enable this Hon'ble Court to graciously accept the unconditional and unreserved apology tendered by me, without in any manner affecting or diluting the orders passed by this Hon'ble Court in W.M.P. No.44375 of 2025 in W.P. No.39509 of 2025 dated 16.10.2025.
4. I respectfully submit that the affidavit already filed before this Hon'ble Court on 23.02.2026 may be treated as forming part and parcel of the present affidavit also.

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COMMISSIONER
AVADI CITY MUNICIPAL CORPORATION



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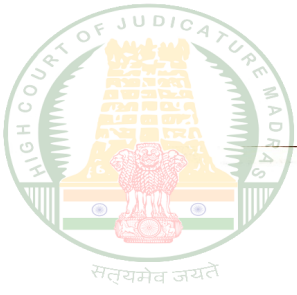
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5. I submit that a writ petition No.39509/2025 has been filed in the nature of Writ of Mandamus for direction in the form of writ forbearing the respondents to put up any construction in Survey No.58/1 Paruthipattu Village, Avadi Taluk, Thiruvallur District i.e., the petitioner's property by considering his representation dated 10.10.2025 and for other orders.
6. I submit that this Hon'ble Court was pleased to pass an order on 10.10.2025 as follows:
- ".....
Hence a prima facie case is made out for grant of interim injunction. Inter injunction granted as prayed for.
- Post the matter on 23.10.2025 immediately after admission.*
7. I humbly submit that in order to safeguard the government land from encroachers particularly in Ward-48, Zone 3, as per 15th Central Finance Commission 2024-25 & 2025-26 from the fund of Solid Waste Management, in the area of poramboke land constructed micro fertilizer production center and also constructed compound wall or iron wire fence by inviting tender, and tender was given to M/s. S. J. Infra.
8. I humbly submit that the undertaking affidavit filed on 24.02.2026 has been strictly complied with as on date. The said affidavit states that the offending construction had been removed and the land had been restored to its original position as it stood earlier. Recording the same and accepting the apology set forth in paragraph No.2 of the affidavit, this Hon'ble Court was pleased to close the contempt petition by virtue of order dated 25.02.2026.

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COMMISSIONER
AVADI CITY MUNICIPAL CORPORATION



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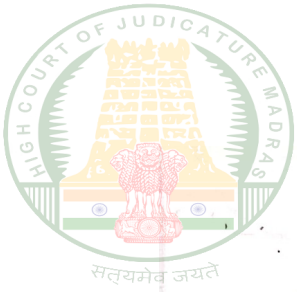
9. I further humbly submit that the officials of this Respondent Corporation were fully engaged in election-related duties, and the petitioner is falsely projecting as though construction activities were being carried on at the disputed site. The photographs relied upon by the petitioner are misleading and incorrect. It is submitted that on 04.05.2026, being the election counting day, the officials of the Corporation were completely deputed for counting and allied election work. However, immediately upon receipt of the petitioner's affidavit, I directed the Executive Engineer of the Avadi City Municipal Corporation to conduct an enquiry regarding the materials allegedly placed at the disputed site.

10. I humbly submit that, pursuant to the work order issued in Proceedings Na.Ka.No.4888/2024/E1 dated 16.10.2025, works relating to the construction of storm water drains in Ward No.33, Zone-III, Jyothi Nagar area, within the limits of the Avadi City Municipal Corporation, were awarded to the contractor namely Mr. R. Nimrode under the State Disaster Mitigation Fund Scheme at an estimated value of Rs.384.56 Lakhs for a total length of 1300 metres. In pursuance thereof, storm water drain construction works have been continuously carried out from March 2026 onwards and approximately 500 metres of work has already been completed. Likewise, the storm water drain work from Reva Nagar to Koladi Lake was also awarded to the said contractor, and about 690 metres of work has been completed and the works are presently progressing in Koladi Road.

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COMMISSIONER
AVADI CITY MUNICIPAL CORPORATION



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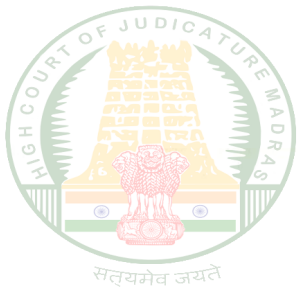
11.I further humbly submit that, from the commencement of the aforesaid works in Reva Nagar and Jyothi Nagar, the construction materials, shuttering boards, equipment and labourers engaged for the said project were stationed in a Government building situated in Government land at Koladi Road and were being utilised for the execution of the said public works.

12.I respectfully submit that on 04.05.2026 at about 10.00 a.m., certain construction boards/shuttering materials were transported from the site where the Jyothi Nagar storm water drain work was being carried out to the Government building situated at Koladi Road through a heavy vehicle bearing Registration No. TN-13-U-3556 belonging to the contractor. During the course of unloading the said construction materials at Koladi Road, the vehicle was temporarily stationed near the adjacent land, which is presently the subject matter of the pending court proceedings. The said incident occurred purely inadvertently and accidentally. Neither the Avadi City Municipal Corporation nor its officials had any role, connection, intention or ulterior motive whatsoever in the said act.

13.I further humbly submit that, immediately upon the instructions issued by the officials of the Avadi City Municipal Corporation, the construction boards, materials and vehicles stationed near the disputed property were immediately removed from the said place. I respectfully submit that appropriate instructions have already been issued, and it is ensured that, in future, no vehicle shall be parked and no construction materials shall be loaded or unloaded in the property which is the subject matter of the pending litigation.

Page: 5. Corr.: nil


COMMISSIONER
AVADI CITY MUNICIPAL CORPORATION



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14.I humbly submit that the present Sub-Application is filed by the petitioner seeking to reopen the contempt proceedings is wholly misconceived, unsustainable both in law and on facts, and has been filed on mere assumptions and incorrect inferences without there being any wilful disobedience of the orders passed by this Hon'ble Court.

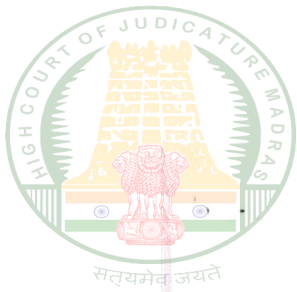
15.I respectfully submit that this Hon'ble Court had already recorded the compliance made by the Respondents pursuant to the undertaking affidavit filed on 24.02.2026 and, being satisfied that the offending construction had been removed and the land restored to its original position, was pleased to close the contempt petition after accepting the unconditional apology tendered by the Respondents. Hence, in the absence of any fresh act constituting wilful disobedience, the present attempt to reopen the concluded contempt proceedings is not maintainable.

16.I further submit that the allegation sought to be projected by the petitioner based upon the photographs taken on 04.05.2026 is factually incorrect and misleading. The materials allegedly found near the disputed property were only construction boards and equipment temporarily handled by the contractor engaged in the storm water drain works undertaken by the Avadi City Municipal Corporation pursuant to the Government-sanctioned public project. The same was neither intended for any construction activity in the disputed property nor does it amount to violation of the undertaking recorded by this Hon'ble Court.

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COMMISSIONER
AVADI CITY MUNICIPAL CORPORATION



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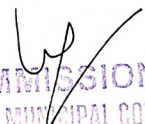
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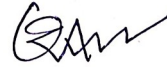
17.I respectfully submit that immediately upon being informed about the petitioner's allegations, necessary directions were issued to the Executive Engineer of the Avadi City Municipal Corporation to enquire into the matter, and the construction materials and vehicles found near the disputed site were immediately removed. Therefore, the allegations of deliberate violation or wilful disobedience are wholly baseless.

18.I submit that this Respondent have at all times acted bona fide, with utmost respect to the orders of this Hon'ble Court, and there has never been any intentional, deliberate or wilful disobedience warranting reopening of the contempt proceedings.

In the above circumstances, this Respondent most humbly prays that this Hon'ble Court may be pleased to record the unconditional and unreserved apology tendered by this Respondent and the undertaking that no such incident will occur in future, and pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

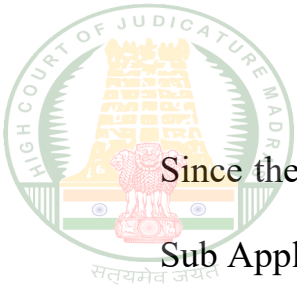
Solemnly affirmed at Chennai on this the
29th day of May 2026, signed her
name in my presence.


COMMISSIONER
AVADI CITY MUNICIPAL CORPORATION
Before me,


Advocate, Chennai

7th and last page
Corr.: mlv

R. AYYAPPAN.
ADVOCATE 3188/12
Q-2, Jumbo Bairav, Plot No. 485
Bank of Baroda Colony Sethupathy Nagar,
Madipakkam, Chennai - 600 091.



Since the position has been restored, recording the affidavit of undertaking, the

Sub Application is closed.

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5. The respondent is reminded that any further violation would not be countenanced by this Court. The consequences of yet another violation of the interim injunction might not be viewed as it has been done on the previous two occasions. To make it clear, this Court will not let the contemnor off the hook with a rap on the knuckles.

29-05-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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SUB APPL No. 567 of 2



V.LAKSHMINARAYANAN J.

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Sub-Appl.No. 567 of 2026
in
Cont.P.No. 265 of 2026

29-05-2026