

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.08.2015

CORAM:

THE HONOURABLE MS. JUSTICE K.B.K.VASUKI

Contempt Petition No.1050 of 2015

in

W.P.No.16094 of 2003

1. A. Mohamed Shengal Basha
2. A. Mohamed Umaf Basha
3. A. Mohamed Siddick Basha .. Petitioners

Vs.

1. Mr.Nandagopal
The District Collector
Vellore District
Vellore.
2. Mr. Vijayan
The Special Tahsildar
Adi Dravida Welfare
Walajapet
Vellore District. .. Respondents

Contempt Petition filed praying to punish the respondents for their wilful disobedience of the order of this Court dated 27.06.2014 made in W.P.No. 16094 of 2003.

For Petitioners : Mr. M. Rajendran

For Respondents : Mr. I. Arockiasamy
Government Advocate

O R D E R

This Contempt Petition has been filed for not implementing the order dated 27.08.2014 made in W.P.No. 16094 of 2003.passed by this Court.

2. Learned counsel for the petitioners and the learned Government Advocate representing the respondents are present.

3. The grievance raised in this Contempt Petition is that the order of this Court dated 27.08.2014 made in W.P.No. 16094 of 2003 is not complied with and the failure to comply with such order amounts to wilful disobedience of the order of this Court, by the respondent officials.

4. Learned counsel for the petitioners would contend before this Court that the act on the part of the revenue officials, in transferring the entries in the revenue records from the name of the petitioner to the name of the State, even after the land acquisition proceedings was set aside, amounts to wilful disobedience. Such contention raised by the petitioner is liable to be negatived for the following reasons:

The writ petition is filed for quashing Section 4(1) notification issued in respect of the property belonging to the petitioners, under the Land Acquisition Act and by order 27.08.2014 made in W.P.No. 16094 of 2003, the land acquisition proceedings was set aside. The transfer of the entry in the revenue records as seen from the documents produced herein, is much before the order of this Court.

The petitioners have also not raised any plea to that effect in the contempt petition.

5. That being the factual state of affairs, it is for the petitioner to approach the authorities concerned for effecting necessary changes in the revenue records, on the strength of the order of this Court and no act of contempt will arise for the entries made in the revenue records, much before the order of this Court.

6. Hence, the Contempt Petition is dismissed, with liberty given to the petitioners to approach the authorities concerned, with proper representation along with copy of the order made in the writ petition, for appropriate relief.

Avr

SD/-

DEPUTY REGISTRAR (CLAA)

//Certified to be true copy//

Dated at Madras this the day of 2015.

COURT OFFICER (O.S.)

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SS/CO/26/08/2015

One CC to Mr.M.Rajendran, Advocate SR.10398

One CC to The Government Pleader SR.10464.

To

1.The District Collector
Vellor District,Vellore

2.The Special Tahsildar,
Adi Desai Welfare
Walajapet
Vellore District.