

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.12.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cont.P.No.2694 of 2015

A.Sakthivel ... Petitioner
Versus

1.Mr.Ashok Raj
The Special Tahsildar (Adi-Dravidar Welfare),
Chidambaram,
Cuddalore District.
2.Mrs.Vasanthi
The Inspector of Police,
Chidambaram Police Station,
Chidambaram,
Cuddalore District. .. Respondents

Contempt Petition filed under Section 11 of the
Contempt of Court 1971 praying to punish the respondents
for their willful disobedience to the direction issued by
this Court in CrI.OP.No.5704 of 2015 dated 13.04.2015.

For Petitioner : Mr.A.Venkatesh
For Respondents: Mr.K.Prabakar,
Govt.Advocate(CrI.side)

O R D E R

This petition has been filed by the petitioner to
punish the respondents for their willful disobedience, to
the direction issued by this Court in CrI.OP.No.5704 of
2015 dated 13.04.2015.

petitioner and Mr.K.Prabakar, learned Government Advocate (Crl.side) appearing for the respondents.

3. The case of the petitioner is that he is the President of Buddha People Welfare Society, Cuddalore District and that he has been working for the upliftment of the scheduled caste people in the Cuddalore District. He filed Crl.O.P.No.5704 of 2014 for a direction to the police to give adequate police protection for 105 patta holders of C.Thandeswaranallur people in Cuddalore District.

4.This court passed the following order on 13.04.2015 :-

3.It is the case of the petitioner that the petitioners have been allotted patta by the Special Tahsildar by various proceedings. Pursuant to the patta issued by the Revenue Authorities, when the petitioners went to take possession of the land, some goondas are preventing them from taking possession. The petitioners are directed to make application before the Special Tahsildar for demarcation of their lands and when the Revenue Authorities come to the place for demarcation, the jurisdictional police shall provide protection to the Revenue Authorities at that time.

With the above direction, this petition is closed.

5. Pursuant to the order passed by this Court, it is the contention of the learned counsel for the petitioner that, the petitioner made a representation dated 28.04.2015 to the Special Tahsildar, Adi-Dravidar, despite which, the

first respondent has not come for demarcation of the land.

6. Today, when the matter was called, Mr.Ashok Raj, Special Tahsildar and the Superintendent of Adi-Dravidar Welfare, Chidambaram, Cuddalore District are present with the files. From the files, it appear that on 30.08.1993, 151 dalits were given patta for house plots in C.Thandeswaranallur village. They were also put in possession of the plots allotted to them. Out of 151 allottees, 36 allottees have sold their allotment to various persons and left the place (Out of whom four peoples are not dalits). This petitioner, (A.Sakthivel) has also sold his allotment to one Senthamizhselvi, by a deed of sale dated 25.03.2009.

7. It is contended by the learned Government Advocate (Crl.side) that the petitioner is initiating his litigation only to regularize the illegal purchase of lands.

8. Learned Government Advocate (Crl.side) submits that the petitioner has initiated this litigation, only to give legitimacy for the purchase made by the 36 persons, who ought not to have purchased the lands allotted to dalits for a period of 30 years, as per the allotment order. It appears that there is much force in the contention of the learned Government Advocate(crl.side). That apart, this Court has also not given any positive direction in the order dated 13.04.2015, directing the Revenue Authorities to go to the place for demarcation. This Court has only stated that, whenever the Revenue Authorities come to the place for demarcation, then the jurisdictional police should provide them protection. Therefore, it is the discretion of the Tahsildar and the Revenue Authorities to

go for demarcation. Out of 151 allottees, 36 persons have purchased the lands and therefore, it is not necessary for the Revenue Authorities to demarcate the lands for those illegal purchasers and this Court does not find any contempt committed by the Authorities. Recording the same, this Contempt Petition is dismissed.

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SD/-
DEPUTY REGISTRAR (CLAA)

//Certified to be true copy//

Dated at Madras this the day of 2016.

COURT OFFICER (O.S.)

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SS/CO/04/01/2016

One CC to The Government Pleader, Sr.No.

To

1.Mr.Ashok Raj
The Special Tahsildar (Adi-Dravidar Welfare),
Chidambaram,
Cuddalore District.

2.Mrs.Vasanthi
The Inspector of Police,
Chidambaram Police Station,
Chidambaram,
Cuddalore District.

3.The Public Prosecutor,
High Court, Madras.