

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.04.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

Contp. No. No.416 of 2015

- 1 DEVI
- 2 PAARVATHY
- 3 PADMAVATHY
- 4 VALLIYAMMAL
- 5 SANTHAMANI
- 6 JOTHYMANI
- 7 PREMA
- 8 AMUTHAVALLI
- 9 KALAVATHY
- 10 BAKIYAMMAL
- 11 KARUNAIYAMMAL
- 12 SUGANTHI
- 13 RAJAMANI
- 14 LOGANAYAGI
- 15 MANI
- 16 DEIVATHAL
- 17 PAPPATHI
- 18 CHITRA
- 19 LAKSHMI
- 20 ARUKKANI
- 21 LINGAMMAL

22 MAYILATHAL

23 KAVITHA

24 SUBBULAKSHMI

25 RAJESWARI

26 VISHALATCHI

27 SELVI

28 RATHINAMMBAL [PETITIONERS]

Vs

GOVINDARAJ
COLLECTOR
TIRUPPUR DISTRICT, TIRUPPUR. [RESPONDENT]

PRAYER : Petition filed under section 11 of the Contempt of Courts Act, to punish the respondent for the wilful disobedience of the orders of this Court in W.P.No.8933 of 2014 dated 03.11.2011.

For Petitioners : Mr.V.Elangovan

For Respondent : Mr.S.Gunasekaran
Govt. Advocate

O R D E R

This Contempt Petition has been filed alleging wilful disobedience of the order and direction issued by this Court dated 03.11.2011 in W.P.No.8933 of 2014. The said writ petition along with two other writ petitions were disposed of by a common order and the operative portion of the order reads as follows:

"8. In view of the above, the writ petitions are allowed and the impugned orders are set aside and it is left open to the respondents to initiate fresh action, if they deems fit to do so and prior to taking any such action, the first respondent shall nominate an officer to conduct a spot inspection, after due notice to the allottees, by way of local publication by tom tom and on receipt of inspection report, the first respondent shall issue individual show cause notice to such of those assignees as regards the violation of the terms and conditions of assignment and after affording an opportunity to such assignees, the first respondent shall pass appropriate orders on merits and in accordance with law. No costs. Consequently, connected miscellaneous petitions are closed."

The petitioners have come forward with this Contempt Petition stating that the direction issued by this Court has not been complied with.

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2. The respondent District Collector has filed a counter affidavit, from which this Court is surprised to find that only 19 persons out of 440 persons who have received patta were residing in the sites and the 419 patta sites remained vacant without even putting any constructions. It is further stated in the counter

affidavit that notice was published in the locality by *tom-tom* and Officers have inspected the site and ultimately the District Collector passed an order on 12.08.2014, to cancel the pattas granted.

3.The learned counsel for the petitioners submitted that the petitioners are poor villagers and no prior notice was given as alleged by the respondent in the counter affidavit and that they have violated the order and directions issued by this Court.

4.The specific stand of the respondent is that the petitioners and other persons received patta had violated the vital conditions of grant of patta and they are residing in the house site for more than 14 years. The respondent has also specifically stated that notice was published by way of *tom-tom* and only 19 persons were available. However, the grounds raised by the petitioners has to be canvassed by challenging the proceedings dated 12.08.2014.

5.In the light of the factual scenario as presented in the counter affidavit, the learned Government Advocate is directed to furnish a certified true copy of the order dated 12.08.2014 to the learned counsel appearing for the petitioners, within a period of two weeks, so as to enable

the petitioners to challenge the same in the manner known to law, if they are so advised.

Accordingly, the Contempt Petition shall stand closed.

rpa

SD/
DEPUTY REGISTRAR(OS)

//Certified to be true copy//

Dated at Madras this the day of 2015.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.

SS/C0/27/04/2015

One CC to Mr.S.Doraisamy, Advocate, SR.6115

To
GOVINDARAJ
COLLECTOR
TIRUPPUR DISTRICT, TIRUPPUR.

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