

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

Contempt Petition No.718 of 2015

G.Manimala ... Petitioner

vs.

1. Mrs.Bazheera
The Tahsildar
Chengalpattu Taluk
Kancheepuram District

2.Mr.Jeevanatham
The Revenue Inspector
Chengalputkuruvattam
Chengalpattu Taluk
Kancheepuram District ... Respondents

Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondents for non-complying the order of this Court made in W.P.No.4827 of 2015 dated 25.02.2015.

For Petitioner : Mr.N.Kamaraj

For Respondents : Mr.L.Arokiasamy
Government Advocate

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents.

2. This contempt petition is filed alleging willful disobedience of the order and direction issued by this

Court in W.P.No.4827 of 2015 dated 25.02.2015.

3. In the above said order, a direction was issued to the authorities to consider the petitioner's representation on merits and in accordance with law and pass an order within a period of two weeks from the date of receipt of a copy of that order. In the said representation the petitioner sought for conducting a survey of the property. In the meantime, it appears that the proceedings were initiated against the petitioner and action for demolition of the building was taken. The petitioner along with others filed a writ petition in W.P.Nos.5407 to 5412 of 2015 wherein a prayer for issuance of writ of certiorarified mandamus and to quash the notice issued by the Revenue Inspector, Chengalput Kuruvattam, Chengalpattu Taluk, Kancheepuram District dated 06.01.2015 and to take proper measurements on both sides of the road, namely East to western side of the road at Ramakrishna Nagar 1st Street, Melamaiyur Village, Chengalpattu Taluk, Kancheepuram District based on the field map, patta etc., was made. Though such a wide relief was prayed for by the petitioner, the Hon'ble Division Bench did not grant the relief, but directed the authorities to pass final orders under Section 6 of the Tamil Nadu Act 3 of 1905 within a period of six weeks from the date of receipt of a copy of that order. In such circumstances, the petitioner can canvass all the points only in the proceedings which have been directed to

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be concluded pursuant to the order passed by the Division

Bench and the question of pursuing this contempt petition does not arise and the direction issued earlier in the writ petition itself become infructuous in the light of the proceedings dated 06.01.2015 which in fact was challenged by the petitioner and not quashed by this Court.

4. In the light of the above, this contempt petition is closed and the prayer sought for by the petitioner is rejected. However, it is open to the petitioner to raise all the contentions before the authority concerned in the proceedings initiated under Section 6 of the Tamil Nadu Act 3 of 1905.

gpa

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/14/07/2015

To

1. Mrs. Bazheera
The Tahsildar
Chengalpattu Taluk
Kancheepuram District

2. Mr. Jeevanatham
The Revenue Inspector
Chengalputkuruvattam
Chengalpattu Taluk
Kancheepuram District