

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 26.08.2016

Coram

The Hon'ble Mr. Justice T.S.Sivagnanam

Contempt Petition No.1643 of 2016

Alphonse Abichegaradjou

...Petitioner

Vs.

1. Dr.S.Sundarayadivelu, I.A.S.,
The Secretary to Government,
(Revenue Department)
Government of Puducherry,
Pondicherry -605 001.

2. Mr.S.Kanagaraj
The Sub/Deputy Collector,
(Revenue Department)
Government of Puducherry,
Pondicherry -605 001.

...Respondents

Contempt Petition, filed under Section 11 of the Contempt of Courts Act, to punish the respondents for wilful disobedience of the order passed by this Court in W.P.No.29125 of 2015, dated 16.02.2016.

For Petitioner : Mr.S.Subbiah

For Respondents: M/s.Reena Ishwariya

Additional Government Pleader
Puducherry

O R D E R

This Contempt Petition has been filed, alleging wilful disobedience of the order and direction issued by this Court in W.P.No.29125 of 2015, dated 16.02.2016.

<https://hcservices.ecourts.gov.in/hcservices/> 2. The said Writ Petition was allowed, by issuing the following direction:-

" 12. In the result, the writ petition is allowed, and the impugned acquisition proceedings insofar as the petitioner's property is concerned, is held to have lapsed. However, the respondents need not restore possession to the petitioner, but, they are directed to initiate fresh acquisition proceedings so as to enable the petitioner to receive fair compensation under the provisions of Act 30 of 2013. The above direction shall be complied with by the respondents within a period of three months from the date of receipt of a copy of this order. No costs."

3. The learned Additional Government Pleader (Puducherry) for respondents submitted that, though they have received the copy of the order passed in the Writ Petition, they are unable to proceed further in the matter, because, the petitioner has not produced the documents to show the ownership right over the property. Infact, this was also the stand taken by the respondents earlier, by their proceedings, dated 15.07.2015.

4. In the light of the above, the petitioner is directed to appear before the second respondent with all the documents, in support of his claim regarding the ownership right over the property in question, after which,

appropriate action shall be initiated by the second respondent, in accordance with law. The petitioner is directed to appear before the second respondent within a period of two weeks from the date of receipt of a copy of this order.

5. This Contempt Petition stands disposed of, with the above direction. No costs.

sd

SD/
JOINT REGISTRAR(OS)

//Certified to be true copy//

Dated at Madras this the day of 2016.

COURT OFFICER(O.S.)

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

CO/02/09/2016

One CC to Government Pleader (Puducherry), SR.10985/2016

One CC to M/s.S.Subbiah, Advocate, SR.10874/2016

To

The Sub/Deputy Collector,
(Revenue Department)
Government of Puducherry,
Pondicherry -605 001.

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