

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 07.10.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

CONT.P.No.1787/2016 IN WP.No.13415/2015

M.Gopal

.. Petitioner

Versus

Mr.Ayyasamy

The Asst., Executive Engineer/O&M/Suburban,
Tamil Nadu Electricity Board,
Narasingapuram - 636 108.
Attur Taluk, Salem District.

.. Respondent

Contempt petition filed under section 11 of the Contempt of Courts Act to punish the respondent for the wilful disobedience and violation of the order dated 23.11.2015 passed in W.P.No.13415 of 2015, on the file of this Court.

For Petitioner : Mr.M.Vivekanandan

For Respondent : Mr.S.K.Raameshwar

ORDER

This Contempt Petition has been filed alleging disobedience of the order and direction issued in W.P.No.13415 of 2015, dated 23.11.2015.

2. The respondent/contemnor is present and has produced all the communication in the form of typed set of papers, from which it is seen that enquiry was conducted and the

petitioner was not able to prove the lawful possession of his extent of 16 cents in survey No.41/2. Therefore, an order to that effect was passed on 03.10.2016.

3. The learned counsel for the petitioner elaborately referred to the documents in the typed set of papers and more particularly, the certificate, attested by the Village Administrative Officer, and counter signed by the Zonal Deputy Tahsildar, Attur. However, certificate will not establish the lawful possession. Therefore, the petitioner has to produce appropriate sketch saying that he is entitled to enjoy the property as a common property because the petitioner claims this right pursuant to a family partition. If the petitioner produces such record, then it is open to the respondent to consider his request.

With the above observations, the Contempt Petition is closed. No costs.

सत्यमेव जयते

Sd/-

JOINT REGISTRAR(OS)

pbn

//Certified to be true copy//

Dated at Madras this the day of 2016.

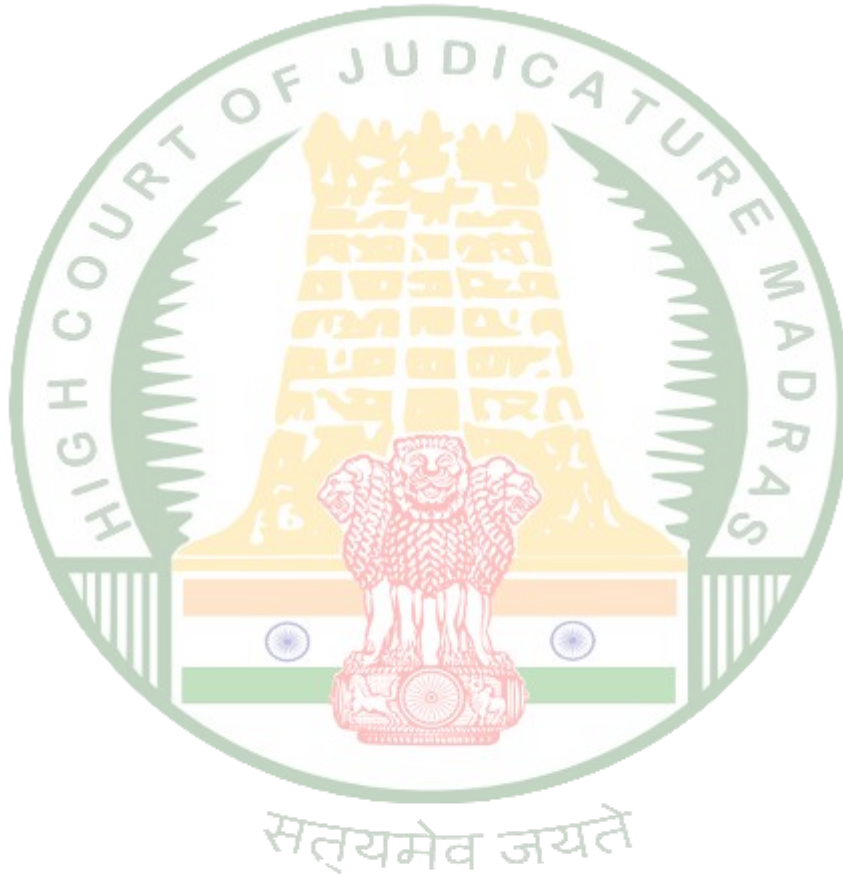
COURT OFFICER(O.S.)

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

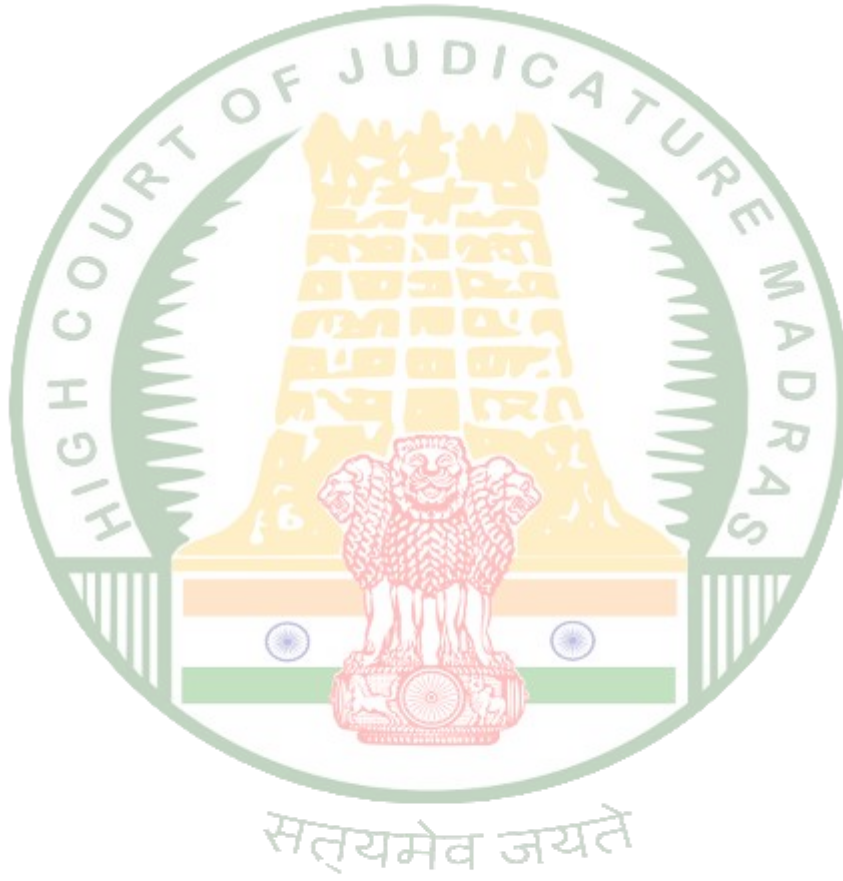
SS/CO/28 /11 /2016

To
Mr.Ayyasamy
The Asst., Executive Engineer/O&M/Suburban,
Tamil Nadu Electricity Board,
Narasingapuram - 636 108.
Attur Taluk, Salem District.

One CC to Mr.M.Vivekanadan Advocate, Sr.No.13355/2016.



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