

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on: 24.08.2016

Date of verdict: 30.08.2016

CORAM

THE HONOURABLE MR. **JUSTICE R.SUBBIAH**

Contempt Petition No.1922 of 2016

R.Sathiyavel

... Petitioner

vs.

G.Saravanan
Tahsildar,
Katpadi Taluk,
Vellore District.

.... Respondent

Contempt petition has been filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondent for disobeying the order of this Court dated 1.4.2016 made in W.P.No.12184 of 2016.

For Petitioner : Mr.N.Sampath

For Respondent : Mr.R.Rajeswaran,
Spl. Govt. Pleader.

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ORDER

This Court, by an order dated 1.4.2016, in W.P.No.12184 of 2016, directed the respondent herein to implement the order passed by the respondents 1 and 2 therein dated 10.3.2016 and 14.3.2016 respectively, and to conduct the public auction to harvest the tamarind fruits

from the tamarind trees situated at Survey No.48/1, Machanur Village, Katpadi Taluk, Vellore District, within a period of two weeks from the date of receipt of a copy of that order. Alleging that the said order has not been complied with, the present contempt petition has been filed.

2. Learned Special Government Pleader appearing for the respondent submitted that as per the direction given by this Court on 1.4.2016, public auction was conducted on 18.4.2016 and the contract to harvest the tamarind fruits was given to one P.Tamilvanan, who was the highest bidder.

3. However, learned counsel appearing for the petitioner submitted that though the auction was conducted on 18.4.2016, the order for harvesting the tamarind fruits was passed only on 18.5.2016 and the same was served upon the said P.Tamilvanan only on 4.6.2016, that is after a lapse of 1-1/2 months, which shows that the respondent herein has colluded with the panchayat President enabling him to harvest the fruits illegally. Because of the said delay, there were no fruits to harvest by the said P.Tamilvanan on 4.6.2016. Hence, the said P.Tamilvanan sustained loss of Rs.10,000/- and the same has to be compensated by the respondent. In this regard, learned counsel appearing for the petitioner has also produced an affidavit of the said P.Tamilvanan.

4. But, this Court has given only a direction to the respondent herein to conduct public auction for harvesting the tamarind fruits and the said order was complied with. If there is any delay in issuing the order for harvesting the tamarind fruits to the said P.Tamilvanan and if the same has resulted in any loss to him, he has to work out his remedy by way of independent legal proceedings.

5. Since the order of this Court has been complied with, I am of the opinion, nothing survives in this contempt petition for adjudication. Hence, the contempt petition is closed.

sbi

SD/
JOINT REGISTRAR(OS)

//Certified to be true copy//

Dated at Madras this the day of 2016.

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

To

The Tahsildar,
Katpadi Taluk,
Vellore District.

SS/CO/20/09/2016

One CC to Government Pleader, SR.11155/2016