

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 2.6.2016

CORAM:

THE HONOURABLE MR. JUSTICE **M.SATHYANARAYANAN**

Contempt Petition No.904/2016

1. A.Gopi @ Govindaraj

2. A.Sadagopan ... petitioners

versus

Vetrivel,
Tahsildar, Villupuram respondent

Petition filed to punish the respondents for wilfully disobeying the orders of the court dated 8.6.2015 in W.P.No.16003 of 2015.

For Mr.N.Suresh
petitioners

For respondent Mrs.P.Kavitha, Government
Advocate

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate and gone through the counter affidavit filed by the respondent.

2. It is relevant to extract paragraph 5(d) of the counter affidavit, which reads as follows:-

It is pertinent to note that, though Thiru.Ramanathan purchased undivided 2/6th share of 36 cents out of 73 cents in R.S.No.356/9, he wrongly noted this share as 2/5th. Further in their sale deed they mentioned the Survey No. as 356/9B2-6410.25 sq.ft.

(14.7 cents). Further, the disputed land having survey no.356/9B2 - have 0.09.5 hectares (23.5 cents) only as an ground. In which 0.04.5 Hec (11 cents) is already being used as pathway, which stands in the name of one Abdul Azeese. Remaining land is 0.05.0 hec. (12.5 cents) only.

In the above said remaining land (12.5 cents) the following persons have shares by means of inheritance, patta, and sale deed:

Sl.No .	Name of the shareholder	Nature of documents	Share
1	Vzhumuni S/o, Kaliya Gounder	By inheritance	(1/6 th share of 36 cents) = 06 cents
2	Jayalakshmi	Will 42/99, dated 23.7.99	9.5 cents
3	Petitioners 1.Gopal @ Govindaran 2.Sadagopan	Sale deed No.3337/2009, dated 19.8.2009	6410.25 sq.ft. (14.7 cents)
4	Abdul Azeese	Revenue Records	unknown

3. The learned counsel for the petitioners would submit that after this Court passed an order, on 15.4.2016 the petitioner submitted an application to the respondent by paying necessary fee, for surveying the land of the petitioners as well as the rival claimant viz., Tmt.Jayalakshmi and in spite of receipt of the same,

<https://hcservices.economyservices.gov.in/> been done so far.

4. The order, which is the subject matter of the

contempt petition, directs the respondent to consider and dispose of the representation dated 25.4.2015. Accordingly, it has been disposed of vide order dated 4.3.2016. In the light of the same, the petitioners, if being so advised, are at liberty to challenge the proceedings of the respondent dated 4.3.2016, in the manner known to law. Insofar as the application dated 15.4.2016, submitted by the petitioners for surveying of the land, if the same is otherwise in order, Tahsildar, Villupuram, is directed to consider and dispose of the said application, in accordance with law, after putting on notice the rival claimant viz., Tmt.Jayalakshmi, and pass orders within a period of two weeks from the date of receipt of a copy of this order.

5. The contempt petition is closed subject to the above observation.

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SD/
JOINT REGISTRAR(OS)

//Certified to be true copy//

Dated at Madras this the day of 2016.

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To

Tahsildar, Villupuram District,
Villupuram.

CO/14/06/2016

<https://hcservices.ecourts.gov.in/hcservices/>

One CC to Government Pleader, SR.6234/2016

One CC to Mrs.N.Suresh, Counsel for Petitioner, SR.6166/2016