



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.09.2016

CORAM :

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

WEB COPY

Contempt Petition (MD) No.1064 of 2016

in

WP(MD)No. 6989 of 2016

Ganesan

... Petitioner/Petitioner

Vs.

Vijayakumar

Executive Officer,

Keezhapavoor Town Panchayat,

Alangulam Taluk,

Tirunelveli District.

... Respondent/Contemnor

Petition filed Section 11 of Contempt of Courts Act, 1971 for having committed contempt of Court for disobeying the order dated 29.04.2016 made in W.P.(MD)No.8791 of 2016 and W.M.P(MD)No.6989 of 2016.

Prayer WP(MD).No. 8791 of 2016 :

Petition filed Under Article 226 of Constitution of India that in the circumstance stated therein and in the affidavit filed therewith the High Court will be pleased to issue a Writ of Mandamus directing the 1st respondent to consider the petitioner's representation dated 29.02.2016 and make an enquiry with regard to issuance of different names in revenue records with respect to Survey No.297/1 and 297/3 of Keezhapavoor Village, Alankulam Taluk, Tirunelveli District.

Prayer in WMP(MD).No. 6989 of 2016 in WP(MD).No. 8791 of 2016 :

Petitioner praying that in the circumstance stated therein and in the affidavit filed therewith the High Court will be pleased to pass an order of interim injunction restraining the 4th respondent from putting up any construction work in Survey No. 297/1, 297/3 of the Keezhapavoor Village, Alangulam Taluk, Tirunelveli District.

For Petitioner : Mr.V.Sasikumar

For Respondent : Mr.N.S.Karthikeyan,
Additional Government Pleader

**ORDER**

This contempt petition has been filed by the petitioner for the alleged disobedience of the order passed by this Court in W.P. (MD) No. 8791 of 2016 and W.M.P (MD) No. 6989 of 2016, dated 29.07.2016. By the aforesaid order, this Court has granted interim injunction restraining the fourth respondent from putting up any construction work in Survey Nos. 297/1, 297/3 of Keezhapavur Village, Alangulam Taluk, Tirunelveli District.

2. It is the grievance of the petitioner that despite the order of this Court, the fourth respondent unloaded the sand in the disputed land.

3. When the matter is taken up for hearing, Mr. N. S. Karthikeyan, learned Additional Government Pleader for the respondent submitted that there was stagnation of water in that area and therefore, to level the ground sand was unloaded and no construction work is going on as alleged by the petitioner.

4. In the light of the above stand taken by the respondent, there is no case made out for proceeding contempt against the respondent and hence, the contempt petition stands dismissed. No costs.

Sd/-

Assistant Registrar (P&A)

/TRUE COPY/

Sub Assistant Registrar

To

Vijayakumar
Executive Officer,
Keezhapavoor Town Panchayat,
Alangulam Taluk,
Tirunelveli District.

+1cc to M/S. V. SASIKUMAR, ADVOCATE, SR NO: 51575

+1cc to M/S. THE SPECIAL GOVERNMENT PLEADER, SR NO: 51639

SMS

JA-SKS-RR/26.09.2016-2P:4C