

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:07.09.2017

Coram

THE HONOURABLE **Mr. JUSTICE M.VENUGOPAL**  
AND  
THE HONOURABLE **Mr. JUSTICE P.D.AUDIKESAVALU**

Cont.P.No.1469 of 2016

S.Anthonysamy

.. Petitioner

Vs.

1.The Sub-Collector,  
Gobichettipalayam,  
Erode District

2. Mr.Arumugham  
The Tahsildar,  
Gobichettipalayam,  
Erode District

..Respondents

Prayer: Contempt Petition filed under Sections 10 and 11 of the Contempt of Courts Act, 1971 to punish the Respondents for wilfully disobeying the Order passed by this Court in W.P.No.15810 of 2015 dated 05.06.2015

For Petitioner : Mr.N.Karthikeyan

For Respondents : Mr.M.Elumalai  
Government Advocate

ORDER

[Order of the Court was made by M.VENUGOPAL, J.]

Heard both sides.

2. It is represented on behalf of the Respondents that the encroachment on the entirety was removed and also that the statement was obtained from the Contempt Petitioner.

3. A perusal of the statement of the Contempt Petitioner taken in the presence of Zonal Deputy Tahsildar on 26.08.2017 points out that in R.S Nos.41, 42 and 43, in Vari Poramboke, there were no encroachments and also at R.S.Nos.39,40,41,42 and 43, there are no encroachments as on today.

4. Today, on behalf of the Respondents, 2<sup>nd</sup> Respondent / Tahsildar, Gobichettipalayam, Erode District had filed an affidavit before this Court, wherein at Paragraph No.8 he had in a crystalline fashion mentioned that Order passed by this Court on 05.06.2015 in W.P.No.15810 of 2015 and M.P.No.1 of 2015 was fully complied with on 06.06.2016 in the presence of the Writ Petitioner, who gave statement on 06.06.2016 acknowledging the complete eviction in S.F.Nos.39,40,41,42 and 43 in the Kondayampalayam

Village. Further, it is also averred at Paragraph No.8 that regarding the complaint made by S.Anthonysamy (Petitioner) on 22.06.2017 about the subsequent encroachments made by the adjacent Pattadars in RS.Nos.39 and 40 in Vari Poramboke, at the same time, were also removed on 26.08.2017 by the Zonal Deputy Tahsildar, Revenue Inspector, Village Administrative Officer and Village Assistant by clearing the crops raised therein by the help of Excavator.

5. Apart from the averments made by the 2<sup>nd</sup> Respondent in the affidavit, it comes to be known that the 2<sup>nd</sup> Respondent / Tahsildar, Gobichettipalayam had proceeded to state that suitable instructions were issued to the Subordinate Officials to watch closely in the subject matter in issue to avoid future encroachments. Moreover, he had also stated in a categorical terms that he is closely monitoring the issue of encroachment to ensure that no encroachments will be made in future.

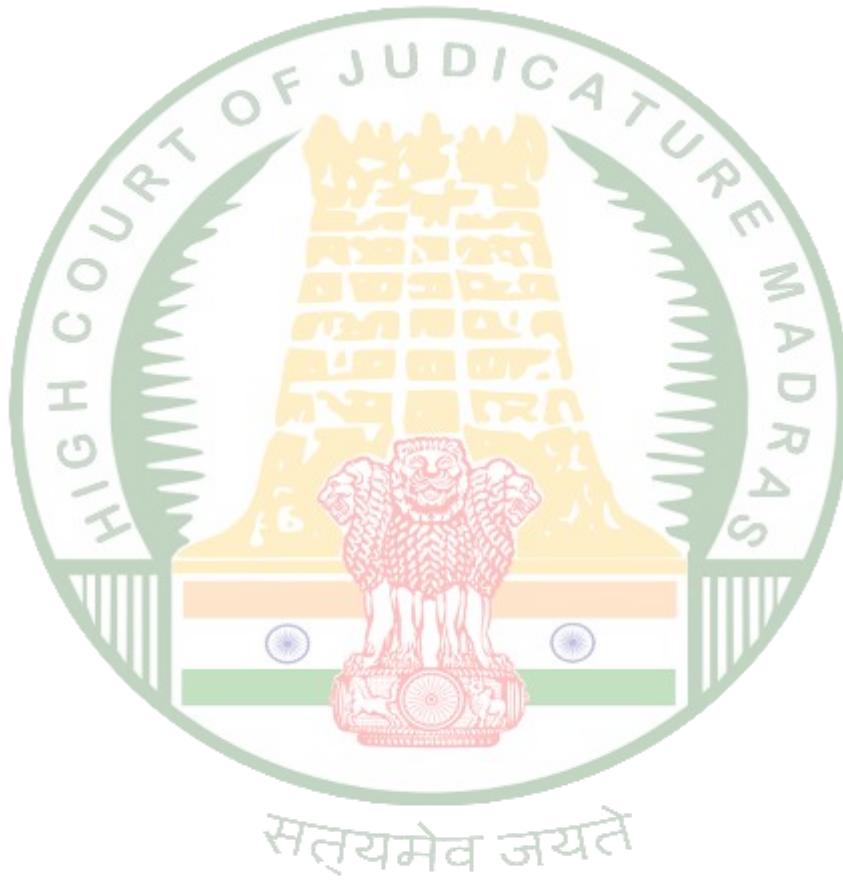
Recording the aforesaid facts and the Affidavit filed by the 2<sup>nd</sup> Respondent / the Tahsildar, Gobichettipalayam, the present Contempt Petition is closed, as nothing survives for adjudication.

(M.V., J.) (P.D.A., J.)

07.09.2017

Index :Yes / No ; Internet :Yes / No

ssd



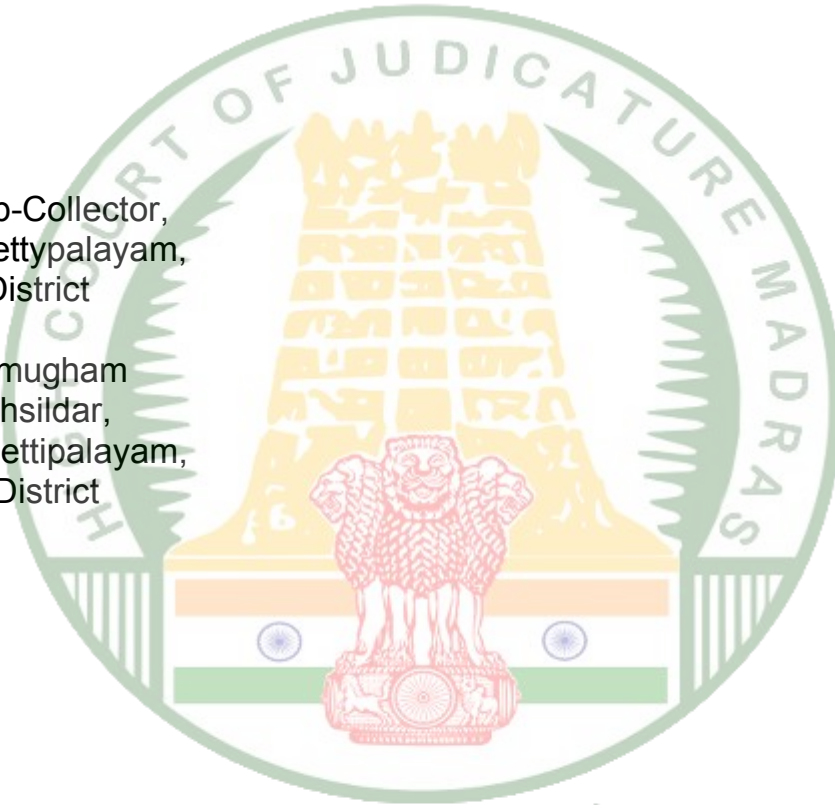
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M.VENUGOPAL, J.  
and  
P.D.AUDIKESAVALU, J.

ssd

To

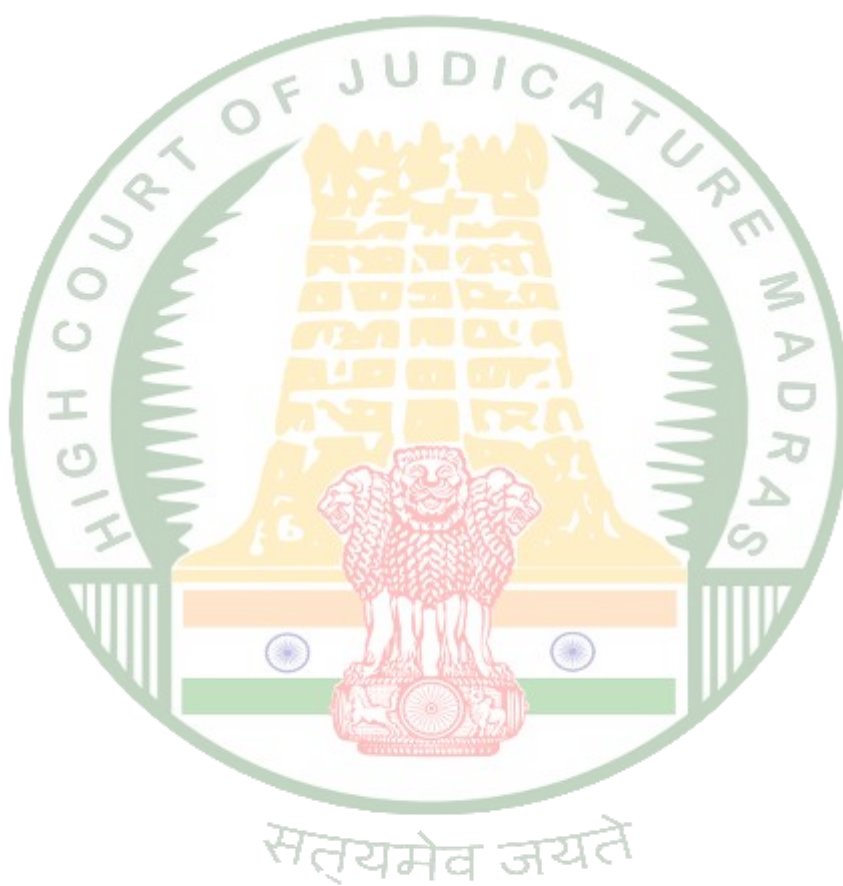
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