

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.03.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

Cont.P.No.417/2017 in WP.No.17090/2016

M.Ramasamy .. Petitioner

Vs.

Mr.S.Vanniya Selvam
The Tahsildar
Tahsildar Office
Cutchery Street,
Erode 638 001.

.. Respondent

Contempt Petition filed under section 11 of the Contempt of Courts Act, 1971, to punish the respondent for having willfully disobeyed the order passed by this Court in WP.No.17090/2016 dated 01.06.2106 and initiate contempt proceedings against the respondent under the relevant provisions of the Contempt of Courts Act, 1971.

For Petitioner : Mr.G.Pavendhan
For Respondent : Mr.I.Arockiasamy, GA

ORDER

Heard the learned counsel for the petitioner and Mr.I.Arockiasamy, learned Government Advocate accepting notice on behalf of the respondent/contemnor.

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It is represented by the learned Government Advocate that since the superstructure put up by the petitioner in S.No.169/3, at Surampatti village, is classified as a "Road [Cart track]", the request made by

suitable lands are available, the petitioner's claim will be considered. He has also produced the communications sent by the respondent / contemnor to the District Collector, Erode District dated 13.06.2016 and 02.11.2016 in Ref.No.6223/2016/A1. The same is taken on file and recorded.

3 In response to the said submission, the learned counsel appearing for the petitioner would submit that the petitioner has also submitted a representation dated 17.10.2016 to the Tahsildar, Erode, pointing out that in respect of the lands of similar classification, pattas have been granted. However, the petitioner has failed to give any proof as to the submission of the said representation to the Tahsildar, Erode, as neither postal receipt nor acknowledgment is made available.

4 The petitioner is at liberty to submit a fresh representation to the Tahsildar, Erode, along with a copy of his earlier representation dated 17.10.2016 within a period of two weeks from the date of receipt of a copy of this order and upon receipt of the same, the said official is directed to consider the said representation in accordance with law and pass orders within a further period of three weeks thereafter and communicate the decision taken, to the petitioner. It is made clear that this Court

did not go into the merits of the representation submitted by the petitioner and it is for the said official to consider and dispose of the representation to be submitted by the petitioner on its own merits and in accordance with law.

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

AP

SD/-
JOINT REGISTRAR(OS) (i/c)

//Certified to be true copy//

Dated at Madras this the day of 2017.

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/11/07/2017

To

Mr.S.Vanniya Selvam
The Tahsildar
Tahsildar Office
Cutchery Street,
Erode 638 001.

one cc to the Govt.Pleader, High Court,sr.No.4722/17

one cc to Mr.G.Pavendhan, sr.No.4362/17