

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

Cont.P.No.1828 of 2016

Mrs.R.Chandra .. Petitioner
vs.

1.Tmt.M.Lakshmi
The District Collector,
Office of the District Collector,
Villupuram.
2.Tmt.A.Zeenath Banu,
The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Villupuram. .. Respondents

Prayer: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondents 1 and 2 for wilful disobedience to the final order passed by this Court in W.P.No.12689 of 2015 dated 28.04.2015 and punish the respondents for Contempt of Court.

For Petitioner : Mr.Arunkumar Rajan
For Respondents : Mr.I Arokiasamy,
Government Advocate

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O R D E R

The learned counsel for the petitioner would submit that despite specific boundaries have been given in the registered Sale Deed dated 06.07.1990, the order passed by the Revenue Divisional Officer, Villupuram, is not in compliance of the

order dated 28.04.2015 made in W.P.No.12689 of 2015 and prays for appropriate orders.

2. *Per contra*, Mr.I.Arokiasamy, learned Government Advocate appearing for the respondents/contemnors has produced the order of the Revenue Divisional Officer, Villupuram in Na.Ka.A2/3150/2016 dated 19.08.2016 along with annexures and would submit that if the petitioner is aggrieved, she is at liberty to file an appeal before the District Revenue Officer, Villupuram within a period of 60 days from the date of receipt of the notice and therefore, prays for closure of the contempt petition.

3. This Court has considered the rival submissions and also the entire materials placed before it.

4. This Court, while disposing of the writ petition, has also indicated that without going into the merits of the claim projected by the petitioner, directed the respondents 1 and 2 to consider and dispose of the petitioner's representation dated 22.01.2015 on merits within a stipulated time frame, after putting on notice the persons concerned and has not given a positive direction as to the manner in which the Revenue Divisional Officer, Villupuram shall pass orders. The order

passed by the Revenue Divisional Officer, Villupuram dated 19.08.2016 also indicates that the petitioner is having an effective remedy before the District Revenue Officer, Villupuram.

5. In the light of the above facts and circumstances, this Court is of the view that the order passed by this Court have not been violated. Hence, this Contempt Petition is closed. In the light of the fact that the petitioner is prosecuting till date diligently, the petitioner is entitled to the benefit under Section 14 of the Limitation Act, 1963 and she is at liberty to file an appeal to the District Revenue Officer, Villupuram within a period of two weeks from the date of receipt of a copy of this order and if the papers are otherwise in order, the said official shall entertain the appeal and after putting the petitioner and the persons concerned on notice, shall pass orders within a period of eight weeks thereafter and communicate the decision taken, to the petitioner and the persons concerned.

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Sd/-
JOINT REGISTRAR (OS)

//Certified to be true copy//

Dated at Madras this the day of 2017.

COURT OFFICER(O.S.)

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CO/14/03/2017

1.Tmt.M.Lakshmi

The District Collector,
Office of the District Collector,
Villupuram.

2.Tmt.A.Zeenath Banu,

The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Villupuram.

One CC to M/s.Arun Kumar Rajan,Advocate, Sr.No.2742



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