

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.10.2017

CORAM :

The Hon'ble MS.INDIRA BANERJEE, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE M.M.SUNDRESH

Contempt Petition No.2888 of 2016

K.Palani .. Petitioner

-vs-

1.Prasantha M.Vada Nera, I.A.S.,
The District Collector,
Tiruvannamalai District,
Tiruvannamalai.

2.M.Sundaramoorthy,
The Block Development Officer,
Tiruvannamalai Panchayat Union,
Tiruvannamalai District. ... Respondents

Petition filed under Section 11 of the Contempt of Courts Act, 1971, to punish the respondents for wilful disobedience of the order passed by this Court in W.P.No.6827 of 2015, dated 11.03.2015.

For Petitioner : Mr.M.S.Palaniswamy

For Respondents : Mr.T.N.Rajagopalan
Government Pleader (i/c)

* * * * *

O R D E R

(Order of the Court was made by M.M.Sundresh, J.)

Alleging that the order passed by this Court dated 11.03.2015 in W.P.No.6827 of 2015 has not been complied with, the present contempt petition has been filed.

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

2. W.P.No.6827 of 2015 was disposed of by merely

directing the respondents to dispose of the case of the petitioner in terms of G.O.(Ms) No.540, dated 04.12.2014 as dealt with by the earlier order of this Court in W.P.No.26722 of 2013, dated 11.8.2014.

3. Today when the contempt petition is taken up for hearing, the second respondent/Block Development Officer has filed his report, wherein it has been stated as follows:

"5.I humbly submit that adequate time was given to all the encroachers to remove their encroachments made over the area in S.No.163. However since they were not coming forward to remove the said encroachments, the cement sheeted house and thatched house constructed by Kamaraj, tin sheeted houses constructed by Arivalagan, Shanmugam, Narayanan and Appavu and terraced houses constructed by Palani, Chinnathai and Shanmugam were removed after demolition on 20.02.2017 by the joint activities carried out by the Revenue and Panchayat administration.

6.Further, I submit that in respect of the remaining 5 houses constructed by Selvi, Ponni, Chandra, Kuppammal and Mummoorthy could not be demolished for

the reason that they have obtained stay orders from this Hon'ble Court of Judicature in W.P.No.3066 to 3069/2017 & WMP.Nos.2989 to 2992 of 2017, W.P.No.2048/2017 & WMP.No.2035/2017."

4. The writ petitions aforesaid have been disposed of giving liberty to the petitioners therein to file appeal petitions. Therefore, in as much as, the order passed by this Court having been complied with followed by the proceedings, nothing survives for adjudication in this contempt petition.

5. The contempt petition is closed. However, liberty is granted to the petitioner to implead himself as party in the appeal petitions, if any, filed by the writ petitioners in the aforesaid writ petitions.

SD/-
सत्यमेव जयते ASSISTANT REGISTRAR (COM.CASES)

bbr

//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.

KR/CO/04/01/2018

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

one cc to the Government Pleader, SR.No.12149.