



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.06.2017

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

CONT.P. (MD) No.892 of 2016
in
W.P. (MD) No.16657 of 2015

Thangaperumal Nadar

... Petitioner/Petitioner

-vs-

Habibur Rahman
Thasildhar
Radhapuram Taluk
Tirunelveli District

... Respondent

PRAYER: This petition is filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondent herein for his willful disobedience and willful non compliance of this Court's order in W.P.(MD) No.16657 of 2015, dated 14.09.2015.

Prayer in WP(MD). 16657/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents 1 and 2 to remove the encroachment of fencing made by the 3rd respondent in North-South street in Nadunathankulam in Thisayanvilai, Radhapuram Taluk in Tirunelveli District as accordance with law within a time to be fixed by this Honourable Court.

For Petitioner :Mr.R.Suriyanarayanan

For Respondent :Mr.V.Muruganantham
Additional Government Pleader

O R D E R

(Order of the Court by T.S.SIVAGNANAM, J.,)

Pursuant to the directions issued by the Division Bench, the petitioner had submitted a representation before the respondent and accordingly, the respondent has passed an order, dated



24.09.2010, on the petitioner's representation and a copy of which has been handed over to the learned counsel appearing for the petitioner.

2. However, the learned counsel appearing for the petitioner would submit that the order and directions issued by the Division Bench have not been fully complied with by the respondent and still there is a fence in the property.

3. On perusal of the note submitted to the learned Additional Government Pleader, it is seen that there is a reference to the writ petition in W.P. (MD).No.15423 of 2016.

4. Considering the fact that already an order has been passed in the petitioner's representation, this contempt petition is closed giving liberty to the petitioner to work out his remedy in accordance with law. No costs.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To:

Habibur Rahman,
Thasildhar,
Radhapuram Taluk,
Tirunelveli District.

IA/KRK

VB/RSK/SAR2/12.06.2017/2P/2C

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