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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19.07.2018

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

Cont.P.No.1248/2015 & Sub.Appln.No.493/2015

Muthusamy

.. Petitioner

Versus

1.Mr.S.Manickadeepan
[presently incharge]
The Sub Collector [Revenue]
Karaikal, Union Territory of
Puducherry.

2.Mr.S.Manickadeepan
Deputy Collector [Revenue]-cum-
Authorised Officer [land Reforms]
Karaikal, Union Territory of
Puducherry.

.. Respondents

Contempt petition filed under section 11 of the
Contempt of Courts Act to punish the respondents for
willful disobedience of the order of this Court in
WP.No.6628/2014 dated 20.03.2014.

For Petitioner : Mr.Giridhar

For Respondents : Mr.B.Nambiselvan, GA
[Puducherry]

ORDER

The petitioner, alleging non-compliance of the order
dated 20.03.2014 made in WP.No.6628/2014 with regard to the
issuance of Assignment patta under the category of Ex-



Servicemen, came forward to file this petition for contempt.

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2 This Court, vide order dated 20.03.2014, has directed the respondents 1 and 2 in the writ petition to consider and dispose of the petitioner's representations dated 09.10.2009 and 18.02.2013 on merits and in accordance with law after issuing notice and conducting due enquiry.

3 Accordingly, the Authorised Officer, Land Reforms, vide proceedings dated 23.06.2015 in No.3656/AO [LR]/B2/2015, has rejected the request among other grounds that the petitioner is working as Assistant in the Department of Civil Supplies and Consumer Affairs and also drawing an emolument of Rs.33,000/- approximately every month. The said official has taken into consideration of the said fact and rejected the said request for the reason the purpose of assignment of land is to do cultivation to eke out his livelihood and since the petitioner is employed as a Government servant, no assignment of land is required.

4 The learned counsel for the petitioner would submit that the application for assignment of land was made in the year 2002 and whereas, he became the Government servant at a later point of time and as such, the original cause of action still survives.

5 This Court has considered the said submission and



is of the considered view that it lacks merit and substance for the following reasons. The petitioner, in the affidavits filed in support of the writ petition, contempt petition as well as the Sub Application No.493/2015, has not disclosed the fact that subsequently he became the Government servant.

6 Be that as it may, the Authorised Officer [Land Reforms], Government of Puducherry, vide proceedings dated 23.06.2015 bearing No.3656/A) [LR]/B2/2015, has rejected the said request. This Court, in contempt jurisdiction cannot touch the illegality of the said order.

7 Accordingly, the contempt petition is closed. If the petitioner is so advised and if it is open to him, he is always at liberty to challenge the said proceedings in accordance with law before the competent Forum.

SD/-

ASSISTANT REGISTRAR (COMM.CASES)

AP

//Certified to be true copy//

Dated at Madras this the day of 2019.

COURT OFFICER (O.S.)

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THS/25/03/2019

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To

1. The Sub Collector [Revenue]
Karaikal, Union Territory of
Puducherry.
2. The Deputy Collector [Revenue]-cum-
Authorised Officer [land Reforms]
Karaikal, Union Territory of
Puducherry.