

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 27.06.2019

CORAM

The Hon'ble Mr. Justice **M.M.SUNDRESH**
and
The Hon'ble Mr. Justice **M.NIRMAL KUMAR**

Cont.P.1785 of 2018

P.Mohan

.. Petitioner

vs.

Mrs.Rama
Tahsildar
Poonamallee Taluk
Poonamallee

.. Respondent

Petition filed under Section 11 of Contempt of Courts
Act to punish the respondent for willful disobedience of
the order passed in W.P.No.32572 of 2017 dated 14.12.2017.

For Petitioner .. Mr.N.Elumalai

For Respondent .. Mrs.P.Rajalakshmi,
Additional Government Pleader

ORDER

(Order of the Court was delivered by M.M.SUNDRESH, J.)

Alleging that the Order passed by this Court in
W.P.No.32572 of 2017 dated 14.12.2017 has not been complied

<https://hcservices.ecourts.gov.in/hcservices/>
with, the present Contempt Petition has been filed.

2. In the compliance report, the respondent has stated as follows:

"6. Regarding averments in Para 5 of the affidavit it is humbly submitted that actually there is no encroachment in the land in S.No.426, but there are encroachments in the land in S.No.423 & 424 registered as Patta lands owned by the "Manager for the time being for up keep of the flower garden attached to Valeeswarar Temple. Hence these encroachments are in Temple Patta lands and hence the Deputy Commissioner/Executive Temple Mangadu was informed to take appropriate action to evict the encroachments through a Letter in Rc.No.24/2018 B1 dated 14.07.2018 and it was received by them on 19.07.2018. The Temple authorities have to take appropriate action to evict the lands. The Temple authorities have not been impleaded as respondents in this writ petitioner. It is humbly submitted that since there is no encroachment in the land in S.No.426 which is classified as Poramboke land the 3rd respondent in the writ petition could not pass any orders under the Provisions of Tamil Nadu Land Encroachment Act 1905. Even though it is already known to the petitioner, however, a detailed letter of intimation has been sent now to both the parties in its Office RC.No.24/2018 B1 dated .04.2019."

3. In view of the above, this contempt petition stands

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closed giving liberty to the petitioner to initiate

appropriate proceedings in the manner known to law by impleading the correct respondents as parties.

SD/-

ASSISTANT REGISTRAR (COMM.CASES)

kmk/smv

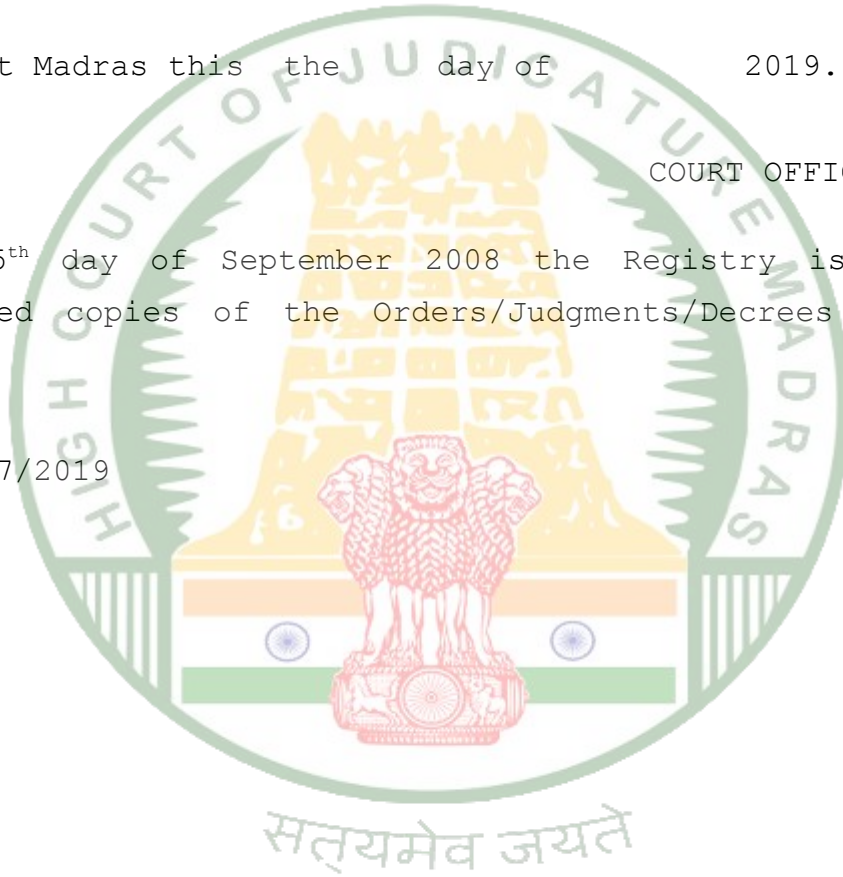
//Certified to be true copy//

Dated at Madras this the day of 2019.

COURT OFFICER (O.S.)

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Mv/10/07/2019



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