

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.11.2019

CORAM

THE HONOURABLE Mrs. JUSTICE V.BHAVANI SUBBAROYAN

CONT.P.No.2148 of 2018

K.Duraisamy

...Petitioner

Versus

Mr.K.Palanichamy,
District Revenue Officer,
Collectorate, Namakkal District.

...Respondent

Contempt petition filed under section 11 of the Contempt of Courts Act, 1971, to punish the respondent herein for his act of willful disobedience of the order of this Court dated 24.05.2018 in W.M.P.No.15164 of 2018.

For Petitioner : Mr.R.Sivaram

For Respondent : Mr.Sricharan
Special Government Pleader (CS)

O R D E R

This petition is filed by the petitioner seeking to punish the respondent herein for his act of willful disobedience of the order of this Court dated 24.05.2018 in W.M.P.No.15164 of 2018.

2. This Court, by an order dated 24.05.2018 in W.P.No.12908 of 2018, observed that the Revenue Divisional

Officer has got no right or authority to pass such kind of order. That apart, only when a decree is obtained from the Civil Court by filing necessary suit, the Revenue Authority can make changes in the patta pass book. Observing as such, this Court stayed the order of the District Revenue Officer until further orders.

3. The learned counsel for the petitioner had filed a contempt petition in Contp.No.2148 of 2018 stating that the District Revenue Officer has not obeyed the orders of this Court, even though they have knowledge of the stay order, had willfully disobeyed the orders of this Court and had enforced the order of the 1st respondent dated 15.05.2018 in P.Mu.No.420/2018/01 and bifurcated the petitioner's land in S.F.No.17/2 of Palanthinnipatti Village in Patta No.56 and given sub division in S.F.No.17/2A to the 5th respondent in the writ petition and also granted patta bearing Patta No.172.

4. Today, when the matter is taken up for hearing, the learned counsel for the petitioner himself has produced the proceedings of the Tahsildar dated 09.11.2018, wherein after receipt of the contempt notice issued by the counsel for the petitioner, the Tahsildar had withdrawn the said patta and other orders and cancelled the sub division and the same was commuted to the position as it was before the said order being

passed by the District Revenue Officer. The Tahsidar also has informed that the said order is subject to the order being passed in the pending writ petition.

5. Since the order has been cancelled, this Court finds no contempt will prevail now. Hence, the contempt petition is closed.

SD/-

ASSISTANT REGISTRAR (COMM. CASES)

bri

//Certified to be true copy//

Dated at Madras this the day of 2020.

COURT OFFICER (O.S.)

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SMI/28/01/2020

सत्यमेव जयते

To

1. The District Revenue Officer,
Collectorate,
Namakkal District.

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