

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 20.09.2019

Coram

THE HONOURABLE MR.JUSTICE T. RAJA

Contempt Petition No.2572 of 2018

1.A.Ramasubramanian
2.S.Krishnamoorthy
3.N.Ramanathan
4.M.Sundaram
5.R.Ramalakshmi
6.K.Babu Naidu

... Petitioners

Versus

1.Marimuthpandian,
Assistant Commissioner of Urban Land Ceiling,
No.248, EVR Highways,
Poonamallee, Chennai-600 029.

2.Jayashree Ragunathan,
Special Commissioner and
Commissioner of Land Reforms,
Chepauk, Chennai-600 005.

... Respondents

Prayer: Petition filed under Section 11 of the Contempt of Courts Act 1971 to punish the respondents for willful disobedience and contumacious contempt of the order of this Court dated 09.01.2009 made in W.P. No.28647 of 2008.

For Petitioners : Mr.A.U.Ilango

For Respondents : Mrs.P.Rajalakshmi,
Additional Government Pleader

ORDER

The Contempt Petition has been filed to punish the respondents for willful disobedience and contempt of the order of this Court dated 09.01.2009 made in W.P. No.28647

of 2008.

2.This Court, by order dated 12.09.2019, has directed the Special Tahsildar, Town Survey and Settlement, Avadi to appear before this Court today for not complying with the order passed by this Court for more than ten years.

3.Pursuant thereto, Mr.V.Sridharan, Special Tahsildar, Town Survey and Settlement, Avadi, appeared today and explained that when the Principal Secretary has issued a communication on 07.03.2019 calling upon him to restore the patta in favour A.Subramanian and 6 persons in respect of the land covered in Survey No.642/4A Part, he has issued communication to the District Revenue Officer, Thiruvallur District on 25.01.2019 itself.

4.Mrs.P.Rajalakshmi, learned Additional Government Pleader appearing for the respondents would submit that after the communication received from the Special Tahsildar, who is now present before this Court, the District Revenue Officer, Thiruvallur passed appropriate orders on the mutation of revenue records and also for restoration of patta in the name of the petitioners for change of classification. Since the post of District Revenue Officer, Thiruvallur remains vacant for more than four months, the order passed by this Court could not be complied with. Thereafter, only on 30.08.2019, the District Revenue Officer, after taking charge, has passed an order yesterday, namely on 19.09.2019.

5.In view of the post of District Revenue Officer, Thiruvallur remained vacant for a period of four months, this Court, accepting the explanation offered by Mrs.P.Rajalakshmi, learned Additional Government Pleader appearing on behalf of the respondents, is inclined to close the contempt. Accordingly, the contempt petition stands closed.

6.The Tahsildar, who is present before this Court today, is hereby directed to give a xerox copy of the restoration of patta to the counsel appearing for the petitioner in the course of the day.

SD/-

ASSISTANT REGISTRAR (COMM.CASES)

vga

//Certified to be true copy//

Dated at Madras this the day of 2019.

COURT OFFICER (O.S.)

from 25th day of September 2008 the Registry is issuing Certified copies of the Orders/Judgments/Decrees in this format.

Smi/21/10/2019

To

1. The Special Tahsildar,
Town Survey and Settlement,
Avadi

2.Assistant Commissioner of Urban Land Ceiling,
No.248, EVR Highways,
Poonamallee, Chennai-600 029.

2.Special Commissioner and
Commissioner of Land Reforms,
Chepauk, Chennai-600 005.