



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

Cont.P. (MD) No.1166 of 2019
in W.P. (MD) No.23739 of 2018

Malaichamy

... Petitioner/Petitioner

-VS-

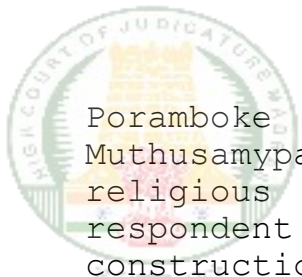
- 1.Mr.Nagarajan, I.A.S.,
The District Collector,
Madurai District,
Madurai - 625 020.
- 2.Mr.Jeevanandham,
The Tahsildar,
Melur Taluk, Melur,
Madurai District.
- 3.Mr.Sankar Kailasam,
The Semminipatty Panchayat,
Rep. by its Special Officer/President,
Semminipatty, Melur Taluk,
Madurai District.
- 4.D.Suresh Christopher,
The Joint Director of Animal Husbandry,
Dr.Thangaraj Salai,
Near Gandhi Museum,
Madurai - 625 020.

... Contemnors/Respondents

PRAYER: Petition filed under Section 11 of Contempt of Courts Act, 1971, praying to punish the respondents for their wilful, deliberate, disobedience of the order of this Hon'ble Court made in W.P. (MD) No.23739 of 2018 dated 07.12.2018.

Prayer in WP(MD). 23739/ 2018 :

Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus directing the 1st respondent to consider the Resolution dated 24.05.2018 passed by the 3rd respondent and the representation dated 18.06.2018 of the Petitioner, Public and allot 40 cents of vacant site in the Govt.



Poramboke land in survey No.38 in Muthusampatti North Street Muthusampatti to Sri Vinaitheerkkum Vinayagar Thirukoil to use for religious and public purposes and permanently forbear the 4th respondent or his men or agents or contractors from taking up any construction work or veterinary hospital in the said 40 cents of vacant site in Survey No.38 in Muthusampatti North Street, Muthusampatti, Melur Taluk, Madurai District within a time limit to be fixed by this Court.

For Petitioner : No appearance

For Respondents : Mr.A.K.Baskarapandian
Special Government Pleader

O R D E R

[Order of the Court was made by T.S.SIVAGNANAM, J.]

This Contempt Petition has been filed alleging disobedience of the order passed in W.P.(MD) No.23739 of 2018 dated 07.12.2018, whereby, the Court directed the third respondent Executive Officer/Special Officer, Semminipatty Panchayat to make a formal application to the District Collector, Madurai for allotment of land in the village for the purpose of constructing a community hall and also made certain observations so that the application can be considered favourably.

2.Mr.A.K.Baskarapandian, learned Special Government Pleader, who accepts notice on behalf of the respondents submitted that the proposal has been received from the Block Development Officer only on 20.08.2019. Further, it is submitted that the District Administration will face one more difficulty in respect of the acquisition of the land, for which, necessary steps have been taken and also an opinion has been sought for as to whether any review application has to be filed.

3.Considering the above submission, this Court is of the view that there is no wilful disobedience of the order or direction of the Court. Therefore, the petitioner has to wait for some more time and await the out come of the proceedings by the official machinery.

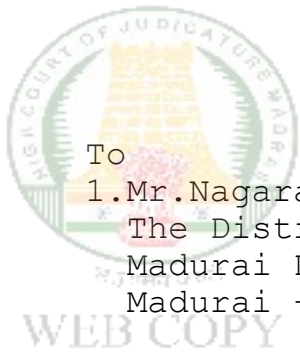
4.With the above observations, the Contempt Petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar



To

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Madurai - 625 020.

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+1 CC to M/s.GP (SR-86288[F] dated 12/09/2019)

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in W.P. (MD) No.23739 of 2018
10.09.2019

SJ

MS/01.10.2019/3P.6C