



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE R.THARANI

Cont.P.(MD) No.1687 of 2019

in

W.P.(MD) No.1433 of 2019

T.Muthumuniasamy

... Petitioner

-VS-

Mr.Ragu,
The Tahsildar,
Ottapidaram Taluk,
Ottapidaram,
Tuticorin District.

... Respondent

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 praying to punish the Contemnor/3rd Respondent for the wilful disobedience of the Order dated 07.03.2019 passed in W.P.(MD) No.1433 of 2019.

Prayer in WP(MD). 1433/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the respondents 1 to 3 to remove the encroachment made by the 4th respondent in Kanmoi namely Vadakk Kalmedu Kanmai having 30 acres, situated at North Kalmedu, Veppalodai, Ottapidaram Taluk, Tuticorin district, within a time stipulated fixed by this Honourable Court.

For Petitioner : Mr.R.Maheswaran

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

O R D E R

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

Pursuant to the direction issued by this Court, the Tahsildar, Ottapidaram Taluk has passed an order dated 13.08.2019.

2.The learned counsel appearing for the petitioner would submit that the order passed by the Tahsildar is erroneous and it is not



known as to how after UDR Scheme a water catchment area can converted be as patta land.

3.In our considered view this issue has to be raised by challenging the order of the Tahsildar before the appellate authority, wherein, the petitioner would be able to demonstrate that the change of classification is incorrect or erroneous. Therefore, the proper course open to the petitioner is to challenge the order of the Tahsildar dated 13.08.2019.

4.With the above observation, this Contempt Petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

sj

To

Mr.Ragu,
The Tahsildar,
Ottapidaram Taluk,
Ottapidaram,
Tuticorin District.

+1 CC to MR.R. MAHESWARAN, Advocate (SR-100099[F] dated 21/11/2019)

+1 CC to SPL GP (SR-100353[F] dated 21/11/2019)

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VB(11.12.2019) 2P 4C