



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.12.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY
AND
THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

Cont.P. (MD)No.1761 of 2019
in
WP (MD)No.7543 of 2019

R.Alagarsamy

... Petitioner/Petitioner

Vs.

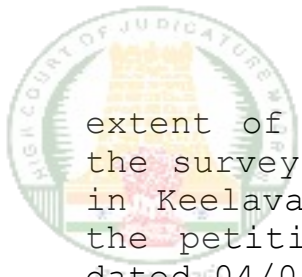
1. T.S.Rajasekar, I.A.S.,
District Collector,
Madurai District.
2. Sivagaminathan,
Tahsildar,
Melur Taluk,
Madurai District.
3. Shankar Kailasam,
Block Development Officer,
Melur Taluk,
Madurai District.
4. Karthikeyan,
Village Administrative Officer,
Keelavalavu Village,
Melur Taluk,
Madurai District.

... Contemnors/Respondents

Prayer : Petition filed under Section 11 of Contempt of Courts Act 1971, to punish the contemnors / respondents 1 to 4 for their deliberate and wilful disobedience of the order of this Court made in W.P.(MD)No.7543 of 2019, dated 26.06.2019.

Prayer in WP(MD). 7543/ 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 4 to remove the encroachments made by the 5th respondent in the pathway having



extent of 2.6x17.0 meter situated in Survey No.476/4, connecting the survey No.476/4 and the eastern portion of the survey No.138/3 in Keelavalavu village, Melur Taluk, Madurai District leading to the petitioners house on considering petitioner's representation dated 04/03/2019.

WEB COPY

For Petitioner : Mr.R.Shankar Ganesh
For Respondents : Mr.V.R.Shanmuganathan
Special Government Pleader
* * * * *

ORDER

[Order of the Court was made by **M.DURAISWAMY, J.**]

This Court, while disposing of the writ petition in W.P. (MD)No.7543 of 2019, directed the authorities to survey the land and if the authorities come to the conclusion if any encroachment is made, in such a case, this Court directed the authorities to take steps to remove the encroachment.

2. The petitioner has filed the contempt petition stating that the respondents have not removed the encroachment.

3. Mr.V.R.Shanmuganathan, learned Special Government Pleader taking notice for the respondents, submitted that the third respondent had removed the encroachment on 30.09.2019 itself, thus the respondents have complied with the orders of this Court made in the writ petition.

4. The learned Counsel appearing for the petitioner submitted that though the respondents have removed the encroachment, a small portion of the building has to be removed by them.

5. Mr.V.R.Shanmuganathan, learned Special Government Pleader appearing for the respondents submitted that the authorities would remove the said wall also as expeditiously as possible.

6. Recording the submission made by the learned Special Government Pleader, this Contempt Petition is closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //



To

1. The District Collector,
Madurai District.

2. The Tahsildar,
Melur Taluk,
Madurai District.

3. The Block Development Officer,
Melur Taluk, Madurai District.

4. The Village Administrative Officer,
Keelavalavu Village,
Melur Taluk, Madurai District.

+1 CC to M/s.R.SHANKAR GANESH, Advocate (SR-104052[F] dated
09/12/2019)

+1 CC to M/s.SPECIAL GOVERNMENT PLEADER (SR-104216[F] dated
10/12/2019)

Cont.P. (MD)No.1761 of 2019
09.12.2019

ssl

AE/ (02.01.2020) 3P 7C