



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.02.2020

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THE HONOURABLE **MR. JUSTICE S.S.SUNDAR**

Cont.P.(MD)No.1763 of 2019
in
W.P.(MD)No.25368 of 2018

P.Jothy ... Petitioner/Petitioner

Vs.

1.Vijayalakshmi,
The Thasildhar,
Madurai East Taluk Office,
Narasingham Road,
Madurai District.

2.S.Thiraviya Samy
Personnel Assistant (Land & Measure)
The Office of the District Surveyor,
Madurai North Taluk,
Madurai District. ... Respondents/Contemnors

Prayer: Contempt Petition filed under Section 11 of Contempt of Court Act, to punish the respondents herein for committing grave contempt and willful disobedience of the order passed by the Court in W.P.(MD)No.25368 of 2018 dated 21.12.2018.

Prayer in WP(MD). 25368 of 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the respondents to measure and demarcate the petitioners property in Survey No.354/1, Mangulam Village, Madurai North taluk, Madurai district and issue patta to the petitioner in the light of the petitioners representation dated 06.07.2018.

For Petitioner : Mr.M.Dig Vijayapandian

For Respondents : Mr.A.Muthukaruppan,
Additional Government Pleader.

ORDER

This contempt petition has been filed to punish the respondents herein for committing grave contempt and willful disobedience of the order passed by the Court in W.P.(MD)No.25368 of 2018 dated



21.12.2018.

2. In the writ petition filed by the petitioner, the respondents were directed to consider the representation submitted by the petitioner on 06.07.2018 and to pass appropriate orders in accordance with law, after affording opportunity of hearing to the petitioner, within a period of 16 weeks from the date of receipt of copy of the order.

3. Pursuant to the order of this Court, dated 10.02.2020, today i.e., 17.02.2020, the Thasildar is present before this Court. The learned Additional Public Prosecutor produced the proceedings of the Thasildar, dated 13.02.2020. After considering the representation of the petitioner, the respondents have rejected the request of the petitioner to issue patta to the petitioner in respect of the property in S.No.354/1 on the ground that the property in S.No.354/1 is registered in the revenue records as pathway.

4. In the contempt petition, this Court is not called upon to decide as to whether the order passed by the respondent is right or wrong. This Court's direction was only to consider the representation. Hence, this contempt petition is dismissed. However, the petitioner is at liberty to challenge the order of the Thasildar by filing independent suit to establish her title or enjoyment of the property.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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TO

1. Vijayalakshmi, The Thasildhar,
Madurai East Taluk Office,
Narasingham Road, Madurai District.

2. S. Thiraviya Samy
Personnel Assistant (Land & Measure)
The Office of the District Surveyor,
Madurai North Taluk, Madurai District.

Cont.P. (MD) No.1763 of 2019
17.02.2020

SS (CO)
TR(26.02.2020) 2P 3C