

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2021

CORAM:

THE HONOURABLE **Mr. JUSTICE S.S.SUNDAR**

Cont.P. No.1938 of 2015

D.R.Ashok Kumar,
Devadhanampet Village,
Gingee Taluk,
Villupuram District

... Petitioner

Vs

1.Boominathan,
The Tahsildar,
Gingee Taluk, Vilupuram District.

2.Narendra Nair,
The Superintendent of Police,
Vilupuram District, Vilupuram.

3.Tamilvanan,
The Inspector of Police,
Sathyamangalam Police Station,
Vilupuram, district.

.. Respondents

Contempt Petition filed under Section 11 of the Contempt of Court Act,
praying to punish the above respondents for wilful disobedience and for not
complying the order dated 22.12.2014 passed by this Hon'ble Court in W.P.
No.34102 of 2014.

For Petitioner

: Mr. S.Arivazhagan

For Respondents

: Mr. M.Elumalai

Additional Government Pleader

O R D E R

This contempt petition is filed alleging wilful disobedience of the order of this Court dated 22.12.2014 in W.P. No.34102 of 2014.

2. The petitioner earlier filed a writ petition in W.P. No.34102 of 2014 for issuing writ of mandamus directing the first respondent to conduct survey of the petitioner's land comprised in Survey No.122/1 measuring an extent of 20 cents and another property measuring an extent of 73 cents in Survey No.118 at Devadhanampettai Village, Gingee Taluk and to direct the respondents 2 and 3 to offer adequate police protection during survey. Having regard to the limited nature of the prayer sought by the petitioner, this Court disposed of the writ petition with the following direction:

“...

5. Considering the limited nature of the prayer sought and without expressing any opinion on the merits of the case, the Writ Petition is disposed of with a direction to the first respondent to consider the representation of the petitioner dated 05.05.2014 on merits and take appropriate action in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. No costs.”

3. In the affidavit filed in support of the petition, the petitioner has stated that the respondents have not complied with the direction of this Court.

4. Learned Additional Government Pleader appearing for the respondents has produced before this Court the letter he has received from the Tahsildar. It is seen that the respondents have issued notice to the petitioner on 20.02.2017 for conducting survey. The petitioner was requested to present during survey along with the documents. It is stated that the survey was conducted on 28.02.2017, in the presence of the Revenue Officials, the Village Administrative Officer and public. It is further stated that boundary was fixed with reference to the extent and survey number as sought for by the petitioner. Though the petitioner was present during survey, it is stated by the respondents that he did not raise any objection during survey. It is stated by the Tahsildar that the physical survey was conducted by the respondent in the presence of public and the same was also acknowledged by several villagers who signed as witnesses.

5. This Court is of the view that the order of this Court has been complied with and that nothing survives for consideration in this contempt petition. Hence, this Contempt Petition is dismissed. No costs.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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

Bkn

GS/04/06/2021

To

- 1.The Tahsildar,
Gingee Taluk, Villupuram District.
- 2.The Superintendent of Police,
Villupuram District, Villupuram.
- 3.The Inspector of Police,
Sathyamangalam Police Station,
Villupuram, District.



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