

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(CONTEMPT JURISDICTION)

MONDAY, THE 16th DAY OF AUGUST, 2021

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
AND

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

SUB.APPLICATION NO.240 OF 2020

IN

CONT.P.NO.2382 OF 2018

MUTHAIYA DESIGAR,
S/O. MEIGNANA DESIGAR,
C.KUCHIPALAYAM VILLAGE,
C.KALLIPATTU POST,
VILLUPURAM TALUK

... PETITIONER/ PETITIONER

Vs

1 A.R.SYED MEMAMUTH,
THASILDHAR,
VILLUPURAM.

2 K.NARAYANAN,
BLOCK DEVELOPMENT OFFICER,
KOLIYANUR
VILLUPURAM TALUK.

3 JEGADEESAN,
BLOCK DEVELOPMENT OFFICER,
KANDAMANGALAM
VILLUPURAM TALUK.

... RESPONDENTS/
RESPONDENTS 2 to 4

Sub Application filed under Section 151 of the Code of Civil Procedure praying that this Court be pleased to reopen the Contempt Petition No.2382/2018 closed by an order dated 08.04.2019.

The above Sub Application coming on this day before this Court for hearing in the presence of M/s.N.Suresh, learned Counsel appearing for the Petitioner herein; and of Mr.L.S.M.Hassan Fizal, Govt. Advocate appearing for the Respondent 1 & 2 and Mr.M.Elumalai, learned counsel appearing for the Respondent No.3 herein; and upon perusing the Application and affidavit of Muthaiya desigar, filed herein; the Court made the following order:-

“[This matter has been heard through video conference]

[ORDER of the court was passed by M.M.SUNDRESH.J.]

This court had earlier by order dated 08.04.2019 closed the aforesaid contempt petition on hearing the parties.

2. Now, the learned counsel for the petitioner submitted that as the order under contempt was not fully complied with, the present sub application has been filed to reopen the contempt petition which was closed earlier recording as if the order had been complied with.

3. The learned counsel appearing for the 3rd respondent submitted that further encroachments have also been removed. He has also produced a xerox copy of proceedings of the Block

Development Officer, Kandamangalam dated 11.08.2021 in Na.Ka.No.B/3/3157/2018. We are satisfied with the action taken. We cannot conduct a roving enquiry. However, if the petitioner has got any further grievance, he can file a fresh writ petition, if so advised along with requisite particulars of the alleged encroachment. This Sub Application is closed accordingly with the above observations.”

WITNESS THE HON'BLE MR. SANJIB BANERJEE, CHIEF JUSTICE OF HIGH COURT AT MADRAS, AS AFORESAID, THIS THE 16TH DAY OF AUGUST, 2021.

SD/-
ASSISTANT REGISTRAR(COMM.CASES)

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)
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MK/14/09/2021

SUB.APPLICATION NO.240 OF 2020

IN

CONT.P.NO.2382 OF 2018

THE HON'BLE MR.JUSTICE

M.M.SUNDRESH

AND

THE HON'BLE MR.JUSTICE

M.NIRMAL KUMAR

ORDER

DATED :16/08/2021

FOR APPROVAL : 14/09/2021

APPROVED ON : 15/09/2021

To:

- 1 A.R.SYED MEMAMUTH,
THASILDHAR,
VILLUPURAM.
- 2 K.NARAYANAN,
BLOCK DEVELOPMENT OFFICER,
KOLIYANUR
VILLUPURAM TALUK.
- 3 JEGADEESAN,
BLOCK DEVELOPMENT OFFICER,
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