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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2021

CORAM

**THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN**

Contempt Petition No.341 of 2020
and
Sub Application No.190 of 2020
in
Writ Appeal No.2761 of 2018

Mr.P.John Ilango,
No.103/119, Marutha Nachivilai Road,
Thisaiyanvillai, Tirunelveli-627 657 .. Petitioner/Appellant

-vs-

Thiru.S.Rajinikumar,
The Tahsildar,
Office of the Tahsildar of Ambattur,
Thiruvallur District,
Ambattur, Chennai-600 053. .. Respondent/5th Respondent

PETITION under Section 11 of the Contempt of Courts Act, 1971 to
punish the respondent for wilful disobedience of the order of this Court made in
W.A.No.2761 of 2018 dated 06.02.2019.

For Petitioner : Mr.T.Mohan

For Respondent : Mr.M.Elumalai,
Additional Government Pleader



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ORDER

(Order of the Court was made by T.S.Sivagnanam, J.)

We have elaborately heard the learned counsels for the parties. The Officials are also present in Court.

2.In terms of the directions issued on 18.02.2021, survey has been conducted and we are informed by the Officials that about 100 police men were deployed and without any untoward incident, the survey was conducted.

3.The Tahsildar has filed a counter affidavit, which is taken on record, copies of which have been served by the learned Government Advocate to the counsel appearing for the petitioner.

4.On a perusal of the averment set out in the counter affidavit, it appears that there is a factual dispute as to whether there are two approved plans for the same layout or there is only one approved plan. On one side, it is contended that there is only one approved plan in the year 1964, whereas the other side would contend that there is a revised plan and more than 200 Sale Deeds have been registered based on the revised plan.



5.The Officials state that as per the report of the Chennai Metropolitan Development Authority (CMDA), there is only one approved plan. Therefore, we are of the considered view that there is no wilful disobedience of the judgment and direction issued in W.A.No.2761 of 2018 dated 06.02.2019 for us to initiate contempt proceedings. If at all, the parties are aggrieved, it is open to them to take appropriate steps before the appropriate forum to establish their respective rights.

6.With the above observations, this contempt petition stands closed. No costs. Consequently, Sub Application No.190 of 2020 is also closed.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

abr

//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.

GS/24/06/2021

To

The Tahsildar,
Office of the Tahsildar,
Ambattur, Thiruvallur District,
Chennai-600 053.