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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2021

Coram

**THE HONOURABLE MR. JUSTICE P.N.PRAKASH
and
THE HONOURABLE MRS. JUSTICE R.HEMALATHA**

Contempt Petition Nos.587 and 588 of 2021

M.Manjunathan
S/o.Meiyazhagan
Ponnathur Village and Post,
Pochampalli Taluk, Krishnagiri District.
.. Petitioner in Cont.P.No.587/2021

V.Sakthivel
S/o.Varadharajalu Naidu
Ponnathur Village and Post,
Pochampalli Taluk, Krishnagiri District.
.. Petitioner in Cont.P.No.588/2021

Vs.

1.Maheswari
The Revenue Divisional Officer,
O/o.Revenue Divisional Office,
Krishnagiri.



2.M.Kumaravel
The Tahsildar,
Tahsildar Office,
Pochapalli.

.. Respondents in both petitions

Contempt Petitions filed under Section 11 of the Contempt of Courts Act, praying to punish the respondents for willful disobedience of the order passed by this Court in W.P.Nos.5467 and 5471 of 2020 dated 05.03.2020 as per the Contempt of Courts Act.

For Petitioners : Mr.J.Preadeep
[in both petitions]

For Respondents : Mr.S.John J.Raja Singh
[in both petitions] Additional Government Pleader

COMMON ORDER

[Order of the Court was made by **P.N.PRAKASH, J**]

These contempt petitions have been filed praying to punish the respondents for willful disobedience of the order passed by this Court in W.P.Nos.5467 and 5471 of 2020 dated 05.03.2020.

2. On 26.11.2021, we passed the following order:

'Alleging non-compliance of the order of this Court dated 05.03.2020 passed in W.P.Nos.5467 and 5471 of 2020, these Contempt Petitions have been filed.



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2. When these matters were taken up for hearing, Mr.S.John J.Raja Singh, learned Additional Government Pleader, placed before us a communication dated 23.09.2021, addressed by the Assistant Divisional Engineer, Highways Department to the Divisional Engineer, Highways Department, Krishnagiri, stating that they have removed the encroachments, in compliance with the order passed by this Court on 05.03.2020 in W.P.Nos.5467 and 5471 of 2020.

3.Mr.J.Preadeep, learned counsel for the petitioner submitted that the authorities have only removed the structures built by two persons and have not touched the encroachments that have been made by others, including one Loganath Singh and Balaji Singh, who were arrayed as R18 and R19, respectively, in WP.5467 of 2020.

4. We are not satisfied with the averments in the communication dated 23.09.2021, because, this Court, in the order dated 05.03.2020, has directed the authorities to identify as to whether, the private respondents have encroached on highway lands and thereafter, remove such encroachments, but, the said communication is bereft of such particulars.

5. Mr.S.John J.Raja Singh sought time to verify and report on the above aspect.

Post on 21.12.2021.'

3.Today, Mr.J.Sivasankaran, Zonal Deputy Tahsildar, Pochampalli Taluk, [Mobile No.94435 09198] is present.



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4. Mr.S.John J.Raja Singh, learned Additional Government Pleader, on instructions, produced the communication dated 24.11.2021 issued by the Tahsildar, Pochampalli, wherein it is stated that all the encroachments have been removed except the alleged encroachments in Survey Nos.133/3A, 3B and 3C since house site pattas have been issued to one Chandarbansingh, Padmabai and Parimalabai, way back in the year 1997 and therefore, they cannot be termed as encroachers. A copy of the communication dated 24.11.2021 has also been addressed to the contempt petitioners.

Recording the aforesaid submission, these Contempt Petitions are closed.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

gm

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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



To

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1. The Revenue Divisional Officer,
O/o. Revenue Divisional Office,
Krishnagiri.
2. The Tahsildar,
Tahsildar Office,
Pochapalli.
3. The Additional Government Pleader,
High Court, Madras.