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Cont.P.No.630 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.12.2021

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

AND

THE HONOURABLE Mrs.JUSTICE R.HEMALATHA

Cont.P.No.630 of 2021

in

W.P. No.16375 of 2020

M. Sekar,
6/42, Mudaliar Street,
Singalanthapuram Post,
Rasipuram Taluk,
Namakkal District

... Petitioner

Vs.

Thiru. Thirumurugan
Tahsildar of Rasipuram Taluk
Namakkal

... Respondent

Petition filed under Section 12 of Contempt of Court Act, 1971,
praying to punish the respondent for committed wilful disobedience of the
order of this Hon'ble High Court made in W.P. No.16375/2020 dated
23.11.2020.

For Petitioner : Mr.P. Vijendran

For Respondent : Mr.S. John J. Raja Singh
Additional Government Pleader.



ORDER

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

This Contempt Petition has been filed praying to punish the respondent for the wilful disobedience of the order of this Court made in W.P. No.16375/2020 dated 23.11.2020.

2. In W.P. No.16375 of 2020, the Division Bench of this Court issued the following directions on 23.11.2020.

Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, either in his representations or in this Writ Petition, directs the 4th respondent to act on the various communications of the superior officials and with the aid of the jurisdictional Taluk Surveyor, shall cause inspection and survey of the lands in question and depending upon the result of the same, shall take immediate and necessary steps to remove the encroachments, in accordance with law by also adhering to the principles of natural justice and complete the said exercise within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as to the person/s / encroacher/s concerned."

3. Alleging non compliance with the aforesaid directions, the petitioner has filed the present Contempt Petition against the Tahsildar,



Rasipuram Taluk, Namakkal District.

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4. On notice, Mr. D. Rajasekaran, Revenue Inspector, Rasipuram Taluk, and Mr. R. Nalliappan, Village Administrative Officer, Rasipuram Taluk, Namakkal District, are present.

5. On instructions, Mr. S. John J. Raja Singh, learned Additional Government Pleader submitted that the aforesaid directions have been complied with and a communication dated 17.06.2021 has been sent to the petitioner detailing the steps that have been taken by the Tahsildar, Rasipuram. A copy of the same is placed before us. We furnished a copy of the said communication dated 17.06.2021 to the learned counsel for the petitioner.

6. Mr. P. Vijendran, learned counsel for the petitioner fairly submitted that the petitioner has also received a copy of the aforesaid communication. However, it is the contention of Mr.P.Vijendran that the communication dated 17.06.2021 does not reflect the complete compliance of the aforesaid directions.

7. In our opinion, the Tahsildar, Rasipuram, has complied with the aforesaid directions by sending the communication detailing the steps that have been taken by him. If the petitioner is still aggrieved over it, the

<https://hcservices.eco.nic.in/contempt/index.html> same cannot be agitated in this contempt petition. It is always open to the



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petitioner to work out his remedies in the manner known to law.

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8. With the above direction, this Contempt Petition stands closed.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

bga

//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.

Gs/09/02/2022

To

1. The Tahsildar of Rasipuram Taluk
Namakkal

2. The Public Prosecutor
High Court, Madras