



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :15.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

Cont.P(MD)No.752 of 2021

in

W.P.(MD)No.11381 of 2020

Muthuazhagan

: Petitioner/Petitioner

Vs.

Mr.Selvaganesh,

The Tahsildar,

Office of the Thiruverumbur Taluk,

Trichy District.

: Contemnor/Respondent

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, to initiate contempt proceedings against the Contemnor/Respondent and punish him for the wilful disobedience of the order of this Court in W.P.(MD).No.11381 of 2020 dated 11.09.2020.

Prayer in WP(MD). 11381/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Mandamus, directing Respondents No. 1 to 3 to cancel the patta No. 51 in the name of the 5th Respondent and consequently direct the Respondents No. 1 to 4 to evict the encroachment made by the 5th respondent in S.F.Nos. 445/1A1, 445/1A2, 445/1B and 445/2 and western bund of Vaikkal situated in Valavantankottai village, Thiruverumbur Taluk, Trichy District on the basis of the petitioners representation dated 05.08.2020

For Petitioner : Mr.S.Krishnan

For Respondent : Mr.R.Baskaran

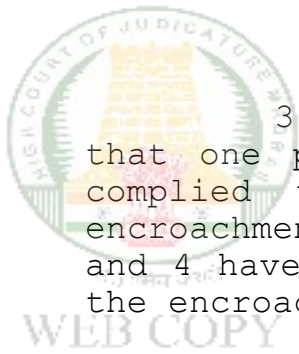
Standing Counsel for Government

ORDER

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

This contempt petition has been filed alleging that there is a wilful disobedience of the order and direction passed in W.P. (MD) No.11381 of 2020, date 11.09.2020.

2.Heard Mr.S.Krishnan, learned counsel appearing for the petitioner and Mr.R.Baskaran, learned Standing counsel for Government appearing for the respondent.



3.It is submitted by the learned counsel for the petitioner that one portion of the direction issued by this Court has been complied with namely, inspection has been conducted and the encroachment has also been identified. However, the respondents 3 and 4 have not issued any notice to the fifth respondent to remove the encroachment.

4.The learned Standing Counsel for Government submitted that on account of the lock-down, instructions and the orders passed by the Hon'ble First Bench, coercive action has not been initiated by the authorities.

5.In the light of the same, we direct the respondents 3 and 4 to proceed further, pursuant to the inspection, in which, it is stated that the encroachment has been identified, issue notice to the fifth respondent and proceed to remove the encroachment, if any, within a period of 15 days from the date on which the lock down is lifted by the State Government.

6.With the above directions, this contempt petition is disposed of.

Sd/-

Assistant Registrar (CRL)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rm

Note In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

The Tahsildar,
Office of the Thiruverumbur Taluk,
Trichy District.

Cont.P (MD) No.752 of 2021
15.07.2021

CM(CO)
KB(23.07.2021) 2P 2C