



Cont.P. No.602 of 2022

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2022

CORAM

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

Cont. P. No. 602 of 2022

in

W.P. No. 33858 of 2019

Mr.K.Balasubramanian,
S/o.A.Kandasamy,
No.4, 4th Cross, Mohan Nagar,
SBI Colony,
Puducherry 605 005

... Petitioner

Versus

Mr.Rishita Gupta,
Sub-Collector (Revenue),
South-cum-Sub-Divisional Magistrate,
office of the Sub-Collector (Rev.)
South, Villianur,
Puducherry-605 110.

... Respondent

PRAYER : Contempt Petition has been filed under Section 11 of Contempt of Court Act, 1971, praying to punish the respondent for willful disobedience of the order dated 06.07.2021 passed by this Hon'ble Court in W.P.No.33858 of 2019.

For Petitioner
For Respondent

: Mr.B.Vijaya Barathan
: Mr.V.Balamurugane,
Govt. Advocate(Pondy)



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ORDER

Earlier, this Court by an order dated 06.07.2021 in W.P.No.33858 of 2019 directed the Sub-Collector (South), Villianur to consider the application of the petitioner seeking cancellation of patta and pass suitable orders on merits. Alleging that the order has not been complied with, the present Contempt Petition has been filed.

2. Today, when the matter taken up for hearing, Mr.V.Balamurugane, learned Government Advocate (Pondy.) appearing for respondent submitted that, pursuant to the order passed by this Court, the respondent had passed an order dated 11.01.2022 and the copy of the order also served on the petitioner. However, the learned counsel appearing for petitioner submitted that, the respondent Sub-Collector did not comply with the order passed by this Court and without conducting proper enquiry rejected the application stating that, he has no power to deal with the matter and the same is not in accordance with the provisions of law.

3. Mr.B.Vijaya Barathan, learned counsel appearing for petitioner would also submit that, no order has been passed based on the complaint filed against Tahsildar. But, his contentions cannot be countenanced for the simple reason that, this Court only directed the respondent Sub-Collector, to



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conduct enquiry on the petition filed by him for cancellation of patta and based on that, he can also pass order. Hence, no contempt arise as the Sub-Collector has to conduct enquiry. The learned counsel would further submit that, he is willing to appear before the Sub-Collector and produce all the materials and the Sub-Collector may be directed to consider the same.

4. Considering his submissions, the petitioner is directed to file necessary application before the respondent Sub-Collector within a period of two weeks from the date of receipt of copy of this order and on filing such application, the respondent is directed to conduct enquiry after giving notice to all other interested parties, more particularly, 5th and 7th respondents in the Writ Petition and pass suitable orders on merits and in accordance with law. Accordingly, this Contempt Petition is disposed of.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

rpp

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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GS/09/06/2022



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To
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The Sub-Collector (Revenue),
South-cum-Sub-Divisional Magistrate,
office of the Sub-Collector (Rev.)
South, Villianur,
Puducherry-605 110.