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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 15.02.2022

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH
AND
THE HONOURABLE Mr.JUSTICE A.A.NAKKIRAN

Contempt Petition No.1528 of 2021

C.Sadhasivam
No.3/3, North Irumbulikkurichi Village & Post,
Sendurai Taluk, Ariyalur District-621 804.

... Petitioner

Vs.

1.P.Ramana Saraswathi, I.A.S.
District Collector
Ariyalur District
Ariyalur

2.K.Kumaraiyya
Tahsildar
Sendurai Taluk
Ariyalur District

3.Santhanam
Block Development Officer
Sendurai Panchayat Union
Sendurai
Ariyalur District

4.V.Kamaraj
President
Irumbulikkurichi Village Panchayat
Sendurai Taluk
Ariyalur District



5.S.Periyasamy

6.P.Selvam

7.K.Ashokan

... Respondents

Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondents for causing wilful disobedience of the orders dated 25.03.2021 passed in W.P.No.7687 of 2021.

For Petitioner : Mr.S.Kamadevan

For R1 to R3 : Mr.S.John J Raja Singh

Additional Government Pleader

ORDER

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

Alleging non-compliance of the order of this Court dated 25.03.2021 passed in W.P.No.7687 of 2021, the writ petitioner has filed this contempt petition.

2. Today, Mr.G.Kumaraiya, Tahsildar, Sendurai, Ariyalur District, is present before this Court.

3. We heard Mr.S.Kamadevan, learned counsel for the petitioner and Mr.S.John J Raja Singh, learned Additional Government Pleader appearing for the respondent 1 to 3.

4. In the order dated 25.03.2021, this Court has issued the following directions :

"7.This Court, taking into consideration 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 respondents 2 to 4 to put the petitioner as well as the



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private respondents on notice, with the aid of the revenue records, shall cause inspection of lands in S.F.Nos.108/7, 10 and 18 of Irumbulikkurichi Village, and if the result of the inspection reveals any infraction/unauthorised construction, or both on the part of the private respondents, or any other persons concerned, shall take immediate, necessary and appropriate action in accordance with law, by also adhering to the principles of natural justice and complete the said exercise within a period of twelve weeks from the date of receipt of a copy of this order/uploading of the order in the Website.

8. The 1st respondent/District Collector is also directed to find out as to whether there is any delay on the part of the respondents 2 to 4 in initiating appropriate proceeding for removal of encroachment and if the result of the enquiry reveals any infraction or delay on the part of the respondents 2 to 4, is also at liberty to take appropriate action in accordance with law and conclude the same as expeditiously as possible.

9. The Writ Petition stands disposed of with the above observations. No costs."

Pursuant to the aforesaid directions, the Tahsildar and the other Revenue officials have measured the survey numbers in S.F.No.108/7, 108/10 and 108/18 of Irumbulikkurichi Village and has passed a detailed order on 16.07.2021, wherein, it is stated that the encroachments that were found in Government lands have been removed.

5.Mr.S.Kamadevan, learned counsel for the petitioner submitted that after the encroachments were removed, the encroachers have been once again come back. However, it is seen that the alleged encroachers are also claiming title to certain portions of the land, as they seem to be having registered documents with them.



6. In our opinion, the Revenue authorities have substantially complied with the order dated 25.03.2021 and if still there is any dispute between the petitioner and respondents No.5 to 7, it is for the petitioner to work out his remedies in the manner known to law and not through this contempt petition.

With the above observation, this contempt petition stands closed.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

gya

//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/21/04/2022

To

1.P.Ramana Saraswathi, I.A.S.
District Collector
Ariyalur District
Ariyalur

2.K.Kumaraiyya
Tahsildar
Sendurai Taluk
Ariyalur District



3.Santhanam

Block Development Officer

Sendurai Panchayat Union

Sendurai

Ariyalur District

4.V.Kamaraj

President

Irumbulikkurichi Village Panchayat

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Ariyalur District