



CONT.P.(MD)No.31 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED :17.11.2022

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THE HONOURABLE **MR.JUSTICE N.ANAND VENKATESH**

CONT.P.(MD)No.31 of 2022

in

W.P.(MD)No.10853 of 2021

J.Suthanthar

... Petitioner

/Vs./

1.Mr.R.Murugesan,
The Tahsildar,
Tiruchendur Taluk,
Thoothukudi District.

2.The Revenue Divisional Officer,
Tiruchendur Taluk,
Thoothukudi District.

..Respondents

PRAYER: Petition filed under Section 11 of the Contempt of Courts Act, to punish the contemnor for wanton and willful disobedience of the order passed by this Court in W.P.(MD)No.10853 of 2021, dated 01.07.2021.

For Petitioner : Mr.D.Selvanayagam

For Respondents : Mr.D.Sasikumar
Additional Government Pleader



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ORDER

This Contempt petition has been filed on the ground that the direction issued by this Court, while disposing of W.P.(MD)No.10853 of 2021 by order dated 01.07.2021, has not been complied with by the respondent herein.

2.The Revenue Divisional Officer, Tiruchendur is *suo motu* impleaded as second respondent herein.

3.Mr.D.Sasikumar, learned Additional Government Pleader, takes notice for the second respondent.

4. When the matter was taken up for hearing on 11.11.2022, the learned Additional Government Pleader produced the proceedings of the Tahsildar, Tiruchendur Taluk, whereby the similar request made by other land owners was rejected. Hence, this Court directed the learned Additional Government Pleader to take instructions as to the status of the representation made by the petitioner seeking patta for his land situated at Survey Nos.161/1 and 161/2.

5.When the matter was taken up hearing today, the learned Additional Government Pleader produced the proceedings of the Tahsildar, Tiruchendur,



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dated 09.11.2022. On going through the proceedings, it is seen that the representation made by the petitioner, seeking patta for the subject properties, was rejected on the ground that the nature of the property was classified as Nanja, but the character has now been changed and house plots have been laid with road. Hence, the claim made by the petitioner has been rejected through the above said proceedings.

6.In the considered view of this Court, such rejection by the respondent would have resulted in closure of this contempt petition by giving liberty to the petitioner to workout his remedy. However, on going through the records, it is seen that the Tahsildar also made an inspection of the said properties in Survey Nos.161/1 and 161/2 and found that the character of the property has changed and it no more retains its original character as nanjai land. The Tahsildar found that the property has already been divided into house plots and road has also been put up and the same does have any authorisation. In view of the same, the Tahsildar has sent a communication, dated 20.08.2021 to the Revenue Divisional Officer, Tiruchendur recommending for regularization as per the prevailing Government Order and Rules prescribing the procedure for regularization of unauthorized layouts.



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7. In view of the above, this Court deems it fit to direct the Revenue Divisional Officer, Tiruchendur to act upon the recommendation made by the Tahsildar through communication, dated 20.08.2021 and pass appropriate orders in accordance with the Government Order and Rules, within a period of four weeks from the date of receipt of the representation from the petitioner. The petitioner is directed to make a fresh representation to the Revenue Divisional Officer, Tiruchendur along with all the relevant documents and also copy of this order. Based on the orders passed by the Revenue Divisional Officer, the Tahsildar shall proceed further to issue patta.

8. This Contempt Petition is disposed of with the above direction.

17.11.2022

Internet : Yes/No
Index : Yes/No
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To

1. Mr. R. Murugesan,
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Tiruchendur Taluk,
Thoothukudi District.

2. The Revenue Divisional Officer,
Tiruchendur Taluk,
Thoothukudi District.



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N.ANAND VENKATESH, J.

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Order made in
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in
W.P.(MD)No.10853 of 2021

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