



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.04.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

and

THE HONOURABLE MRS.JUSTICE S.ANANTHI

Contempt Petition(MD)No.319 of 2022

in

W.P(MD)No.3700 of 2021

K.Ramasamy

... Petitioner/Petitioner

vs.

Senthilvel,

The Tahsildar cum

The Head of removal of encroachment wing,

Virudhunagar District.

... Respondent/2nd Respondent

Petition filed under Section 11 of the Contempt of Courts Act, to punish the 2nd respondent for the wilful, wanton disobedience of the order passed by this Court in W.P(MD)No.3700 of 2021 dated 26.04.2021.

Prayer in WP(MD) . 3700 of 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue Writ of mandamus directing the 1st and 2nd respondents to take action on the memo in OO.Mu.A5/578/2020 dt..04.2020 on the file of the 2nd Respondent issued by the 1st Respondent within a time frame fixed by this Honble Court and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of this case and thus render justice.

For Petitioner

: Mr.R.Sundar

For Respondent

: Mr.A.Kannan

Additional Government Pleader

ORDER

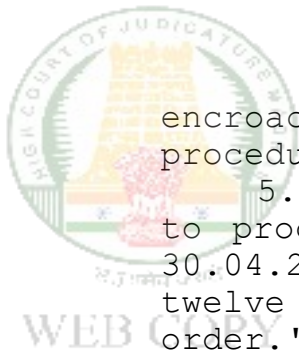
R.SUBRAMANIAN, J.

AND

S.ANANTHI, J.

It is the grievance of the petitioner that the order of the Division Bench dated 26.04.2021 in W.P(MD)No.3700 of 2021 has not been complied with. The operative portion of the order reads as follows:-

''4.It is seen that already the first respondent Revenue Divisional Officer has directed Tahsildar, who is the head of the removal of encroachment Wing to take action on the petitioner's representation, dated 24.01.2020. It is not known what has happened thereafter. In any event, if there is



encroachment, it has to be removed after following the procedures and after issuing notice to the encroacher.

5. In view of the above, we direct the second respondent to proceed further pursuant to the X.K.m/5/578/2020, dated 30.04.2020. The said exercise shall be completed within twelve weeks from the date of receipt of a copy of this order.''

2. The respondents have filed a report today stating that there is no encroachment and the land said to have been encroached upon belongs to the private respondent one Muthulakshmi.

3. In view of the same, the Contempt Petition is closed. It is open to the petitioner to take steps to challenge the order dated 08.04.2022.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

The Tahsildar cum
The Head of removal of encroachment wing,
Virudhunagar District.

+1 CC to M/s.SPL.GP. (SR-18388[F] dated 12/04/2022)

Cont.P(MD)No.319 of 2022

DATED : 11.04.2022

_RD(26.04.2022) 2P 3C