



WEB COPY

Cont.P.(MD)No. 506 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE PARESH UPADHYAY

AND

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

Cont.P.(MD)No. 506 of 2022

in

W.P.(MD) No.4449 of 2021

M.Mariyappan

.. Petitioner

Vs

Mr.Ganesan,
The Block Development Officer,
O/o. The Block Development Office,
Kadayam,
Tenkasi District.

.. Respondent

Contempt Petition filed under Section 11 of the Contempt of Court Act, 1971 praying to initiate contempt proceedings against the Contemnor / Respondent No.4 and punish him for the wilful disobedience of the order of the Hon'ble High Court in W.P.(MD) No.4449 of 2021 in dated 04.03.2021.

Prayer in WP(MD) . 4449/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Mandamus , directing the respondents No.1 to 5 to remove the encroachment of two septic tanks installed by the respondents No.6 and 7 in the public pathway in old survey No.1007/12 and New Survey No.196/197/1 situated at Keelkadayam Ward No.3, Bathrakaliyamman Kovil St., Keelkadayam Panchayat, Tenkasi Tk., and District by considering the petitioners representation dated 27-01-2021 within the time stipulated by this Honourable Court and pass such further or other orders as this Honble Court deems fit and proper in the circumstances of the above case and thus render justice.

For Petitioner	:	Mr.T.Thirumurugan
For Respondent	:	Mr.S.R.A.Ramachandran
		Additional Government Pleader

ORDER

(Made by PARESH UPADHYAY, J.)

The petitioner is aggrieved by the alleged non-compliance of the order of this Court dated 04 March 2021 recorded on W.P(MD) No.4449 of 2021.

2. The said petition was styled as public interest litigation. On reading of the order, the non-compliance of which is pointed out in the order itself indicates that the Court was not inclined to



entertain the petition at all and it even further provided that, in the event the petitioner is aggrieved by the consequential action taken by the State Authorities on the basis of the said order, no litigation in the form of public interest litigation would be entertained. This was the status of the petitioner in that petition. We find that inaction as perceived by the petitioner need not be taken cognizance under the provisions of the Contempt of Courts Act, 1971.

3. For the above reason, this contempt petition is dismissed. No costs.

Sd/-

Assistant Registrar (Writs)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

pkn/4

To

The Block Development Officer,
O/o. The Block Development Office,
Kadayam,
Tenkasi District.

+1 CC to M/s.T.THIRUMURUGAN, Advocate (SR-14081[F] dated 24/03/2022)

+1 CC to M/s.SPL GP (SR-14498[F] dated 25/03/2022)

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RK(04/04/2022) 2P 4C