



Cont.P.(MD) No.1030 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

AND

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

CONT.P.(MD)No.1030 of 2022

Nabiza Banu

... Petitioner / 4th Respondent

-Vs-

1.Mr.Shanmuganathan,

The Block Development Officer (V.P),

Panchayat Union Office,

Mandapam @ Uchipuli,

Ramanathapuram District.

2.Ms.Akila Patrick,

The Village Panchayat President,

Pambam Village Panchayat,

Rameshwaram, Ramanathapuram District.

... Contemnors 1 & 2

/ Respondents 2 and 3

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PRAYER : Contempt Petition filed under Section 11 of the Contempt of Courts Act, to punish the contemnors / respondents 2 and 3 for their deliberate and willful disobedience of the order of this Court dated 26.11.2021 in W.P.(MD)No.21100 of 2021.

For Petitioner : M/s.P.Kalaiyarasi Bharathi

For Respondents : Mr.S.P.Maharajan,
Special Government Pleader

ORDER

[Order of the Court was made by R.MAHADEVAN, J.]

Alleging non-compliance of the order passed by this Court in W.P.(MD)No.21100 of 2021, dated 26.11.2021, this Contempt Petition is filed.

2.Today, when the matter was taken up for hearing, the learned Special Government Pleader for the respondents submitted that the order of this Court dated 26.11.2021 has been complied and he has also produced the status report filed by the 1st respondent, which is not refuted by the learned counsel for the petitioner. The relevant paragraphs in the status report are extracted hereunder:-

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“9.It is submitted that stating the above reasons a status report was filed by me on 18.11.2022 before this honourable High Court. The honourable High Court had orally express that the order is very clear that question of alternative accommodation would arise only if the Maya Bazaar was created only to accommodate those vendors and stated that the status report not acceptable and directed the Special Government Pleader to proceed further to remove the encroachment and further directed this respondent to appear before this honourable High Court on 28.11.2022.

10.It is submitted that as per the instructions of the Special Government Pleader on 18.11.2022, based on the survey report of the surveyor of Rameswaram Taluk, Notice of eviction have been served to the encroachers therein by the Panchayat President of Pamban Panchayat vide ROC.18/2022, dated 23.11.2022, under Section 131(2) of the Tamil Nadu Panchayats Act 1994 to evict the encroachments by themselves within 15 days on receipt of the notice.

11.It is further submitted that, on completion of the stipulated period of 15 days, eviction process by issuance of Form 6 and 7 by the Tahsildar of Rameswaram shall be initiated to remove the encroachment as per Land Encroachment Act 1905.”



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3.Recording the aforesaid submission, this Contempt Petition stands closed.

[R.M.D., J.] & [J.S.N.P., J.]
29.11.2022

Index : Yes / No
Internet : Yes / No

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To:

- 1.The Block Development Officer (V.P),
Panchayat Union Office,
Mandapam @ Uchipuli,
Ramanathapuram District.

- 2.The Village Panchayat President,
Pambam Village Panchayat,
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