



Cont.P.(MD)No.961 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.07.2022

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cont.P.(MD)No.961 of 2022

in

W.P.(MD)No.22662 of 2021

Pannerselvam

... Petitioner /
Petitioner

Vs.

Pravina Mary,
Tahsildar,
Thirumayam Taluk,
Pudukottai District.

... Respondent/
Respondent

PRAYER: Petition filed under Section 11 of the Contempt of Courts Act, to punish the respondent for not-obeying the order dated 21.12.2021 in W.P.(MD)No.22662 of 2021 passed by this Court.

For Petitioner : Mr.G.D.Manikandan

For Respondent : Mr.K.Balasubramani
Special Government Pleader



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ORDER

Heard the learned counsel on either side.

2. The petitioner alleges that the direction given by this Court on 21.12.2021 in W.P(MD)No.22664 of 2021 has not been complied with.

This Court had directed as follows:

“4. A direction is given to the respondent to issue notice to the petitioner, examine the petitioner, examine the documents of the petitioner, examine whether the petitioner is in possession and also issue notice to any of the adjacent owners, if required and thereafter, proceed to conduct survey and demarcate the properties of the petitioner. The entire exercise should be completed within a period of twelve (12) weeks from the date of receipt of a copy of this order. It is also informed that the petitioner had filed necessary application and had also paid necessary fees for the same.”

3. When the matter was taken up for hearing, the learned Special Government Pleader appearing for the respondent submitted that even



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though the petitioner has mentioned a number of survey numbers, he is in effective occupation only in five survey numbers. Those survey numbers had already been surveyed and demarcated. Regarding the rest, the third parties are in possession. Even buildings have come up. When the official went to carry out survey, there was serious objection and opposition.

4. It is seen that the petitioner made only the Tahsildar alone as the respondent in the writ petition. He did not bother to implead the proposed objectors. An order obtained behind their back cannot have any binding effect on them. Therefore, I do not fault the respondent.

5. This Contempt Petition is closed.

14.07.2022

Index : Yes/No

Internet : Yes/No

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To

The Tahsildar,
Thirumayam Taluk,
Pudukottai District.

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G.R.SWAMINATHAN, J.

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