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CONT.P.(MD)NO.1117 OF 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.09.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CONT.P.(MD)No.1117 of 2022 in
W.P.(MD)No.13937 of 2021

S.Vasanthakumari

... Petitioner / Petitioner

Vs.

1. Manivasagam,
Tahsildar,
Karaikudi Taluk,
Sivagangai District.

2. Pitchaimani,
Head Surveyor,
Karaikudi Taluk,
Sivagangai District.

... Contemnors /
Respondents 4 & 5

Prayer: Contempt petition is filed under Section 11 of the Contempt of Courts Act, to summon the contemnors 1 and 2 / respondents 4 and 5 herein and punish them for the wilful disobedience of the order passed by this Court in W.P. (MD)No.13937 of 2021 dated 11.08.2021.

For Petitioner : M/s.S.Bharathy Kannan

For Respondents: Mr.R.Suresh Kumar,
Additional Government Pleader.

* * *

**ORDER**

The writ petitioner alleges breach of the order passed by this Court in W.P.(MD)No.13937 of 2022 vide Order dated 11.08.2021. Paragraph No.5 of the said order reads as follows:-

“ 5. Accordingly, without going into the merits of the matter, the fourth and fifth respondents herein are directed to consider the petitioner's representation dated 19.07.2021 for the conduct of a survey and for fixation of boundary stones and pass a reasoned order thereon after providing a reasonable opportunity of hearing to the petitioner, respondents 6 to 10 herein and any other persons who would be affected by the conduct of such survey. Such reasoned order shall be passed within a period of three (3) months from the date of receipt of a copy of this order. ”

2. A mere reading of the same would indicate that no positive direction was given and that the respondents were



directed to pass a reasoned and speaking order. If such an order has been passed, it is for the petitioner to question the said communication and seek disposal on merits.

3. With the aforesaid liberty to the petitioner, this contempt petition is closed.

26.09.2022

Index : Yes / No

Internet : Yes/ No

PMU

To:

1. The Tahsildar,
Karaikudi Taluk,
Sivagangai District.
2. The Head Surveyor,
Karaikudi Taluk,
Sivagangai District.



WEB COPY



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G.R.SWAMINATHAN,J.

PMU

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W.P.(MD)No.13937 of 2021

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