



Cont.P(MD)No.955 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

and

THE HONOURABLE MRS.JUSTICE R.THARANI

Cont.P(MD)No.955 of 2019

in

W.P(MD)No.2126 of 2018

K.Chinnathambi

... Petitioner/Petitioner

Vs.

1.Mrs.Jamuna,
Tahsildar,
Avudaiyarkovil Taluk,
Pudukkottai District.

2.Mr.Ramamoorthy,
Assistant Executive Engineer,
Public Works Department,
Aranthangi,
Pudukkottai District.

... Contemnor/Respondents

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Court Act, 1971, to try and punish them in accordance with law for their willful disobedience of the order made in W.P(MD)No.2126 of 2018 on the file of this Court, dated 11.02.2019.



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For petitioner : Mr.M.Suresh
For Respondents : Mr.D.Sasikumar,
Additional Government
Pleader

ORDER

(Order of the Court was made by **M.S.RAMESH, J.**)

The direction by a coordinate Bench in the writ petition in W.P(MD)No.2126 of 2019, was to consider the petitioner's representation, dated 03.04.2017, wherein he sought for removal of encroachments made by the private respondents therein in S.F.No.40 at Parayathur Village, Thirupunavasal Post, Kalaiyarkovil Taluk, Pudukottai District, within a reasonable time.

2. Alleging willful disobedience of the aforesaid order, dated 03.04.2017, the present contempt petition has been filed.

3. Today, when the matter was called, the learned Additional Government Pleader submitted that in pursuance to the order passed by the coordinate Bench of this Court, they had issued notice for removal of the encroachments, which came to be challenged by the private respondents therein in W.P(MD)No.4166 of 2020 wherein an order of



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interim order of status-quo has been granted. It has also been stated that the petitioner is arrayed as fourth respondent in the said writ petition.

4. In this background, the disobedience alleged by the petitioner, cannot be termed to be willful in nature. It is open to the petitioner to participate in the adjudication of the writ petition filed by the encroachers.

5. With such liberty, this Contempt Petition stands closed.

[M.S.R.,J.] & [R.T.,J.]
23.11.2022

Index : Yes/No

Internet : Yes/No

pm

To:

1.The Tahsildar,
Avudaiyarkovil Taluk,
Pudukkottai District.

2.The Assistant Executive Engineer,
Public Works Department,
Aranthangi,
Pudukkottai District.



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M.S.RAMESH, J.
AND
R.THARANI, J.

pm

ORDER MADE IN
Cont.P(MD)No.955 of 2019

22.11.2022