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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.08.2022

CORAM

THE HONOURABLE MRS.JUSTICE **R.VIJAYAKUMAR**

CONT P(MD)No.1062 of 2022
and
Sub Appl (MD)No.84 of 2022

V.Thedivantha Selvam ... Petitioner

vs.

1.R.Sakthivel,
District Revenue Officer,
Collectorate, Madurai District.

2.Firthows Fathima,
Revenue Divisional Officer,
Narasingampatti,
Melur Taluk, Madurai District.

3.Elamurugan,
Tahsildar,
Melur Taluk Office,
Melur Post and Taluk,
Madurai District.

4.Muniyandi,
Head Surveyor,
Melur Taluk Office,
Melur Post and Taluk,
Madurai District. ... Contemnors

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(Name of the respondents 1 to 3 deleted
as per the order, dated 27.07.2022)

PRAYER: Petition filed under under Section 11 of the Contempt of Court Act, 1971, to punish the respondent for wilfully disobeying and not complying with the order of this Court, dated 27.06.2022, in W.P.(MD)No.17160 of 2015.

For Petitioner : Mr.M.Saravanakumar
For Respondents : Mr.D.Sasi Kumar
Additional Government Pleader
For Proposed Respondents : Mr.G.Prabhurajadurai

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O R D E R

The present contempt petition has been filed alleging violation of the order passed by this Court on 27.06.2022.

2.In the above said proceedings, the previous order passed by the Head Surveyor was set aside and the 5th respondent were given liberty to file a fresh application for conducting survey. The 4th respondent was directed to strictly adhere to the orders passed in W.P.(MD)No.14073 of 2015, dated 07.08.2015.

3.In W.P.(MD)No.14073 of 2015, this Court has directed the Head Surveyor to consider the application of the 5th respondent herein (3rd respondent)

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in the said writ petition and pass appropriate orders on merits and in accordance with law after giving due opportunity to all the parties and all other necessary parties.

4.According to the learned Counsel for the petitioner, in the contempt petition, the 4th respondent herein, without conducting any enquiry or passing any orders on merits has just proceeded to issue a notice for conducting a survey on 27.07.2022. Hence, the present contempt petition.

5.The learned Additional Government Pleader appearing for the official respondents has contended that the parties to the dispute were called for an enquiry by the concerned Tahsildar on 04.08.2022 and an enquiry was conducted in which the statement of the present contempt petitioner was also recorded. After recording the statement of the parties, the Tahsildar came to a conclusion that in view of the dispute pending before revenue authorities and Civil Court, he is not in a position to proceed with the survey. To the said effect, he has passed an order, dated 08.08.2022, to drop the survey. Since the survey itself has been dropped, no further orders are required in the contempt petition.

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6.Hence, the contempt petition stands closed. No costs. Consequently, connected sub application is closed.

Index : Yes / No **10.08.2022**
Internet : Yes

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To

1.District Revenue Officer,
Collectorate, Madurai District.

2.Revenue Divisional Officer,
Narasingampatti,
Melur Taluk, Madurai District.

3.Tahsildar,
Melur Taluk Office,
Melur Post and Taluk,
Madurai District.

4.Head Surveyor,
Melur Taluk Office,
Melur Post and Taluk,
Madurai District.

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Order made in
CONT P(MD)No.1062 of 2022

10.08.2022

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