



Cont.P.(MD)No.995 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 16.11.2022

CORAM

**THE HON'BLE MR JUSTICE M.S. RAMESH
AND
THE HON'BLE MRS JUSTICE R. THARANI**

Cont.P.(MD)No.995 of 2019
and
Sub.A.(MD)No.305 of 2019

Santhakumari

... Petitioner / Petitioner

/Vs./

1.Prashant M.Wadnere,
The District Collector,
Kanyakumari District.

2.R.Janaki,
The Revenue Divisional Officer,
Nagercoil, Kanyakumari District.

3.G.P.Anilkumar, The Tahsildar,
Agastheeswaram Taluk,
Nagercoil 629 001,
Kanyakumari District.

4.Inbasekaran

... Contemnors / Respondents

(R4 is impleaded vide order of this Court dated 16.11.2022.)

PRAYER: Petition filed under Section 11 Contempt of Courts Act, 1971,
to punish the contemnors for their willful and wanton disobedience to the



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order passed by this Court dated 27.11.2018 in WP(MD)No.17770 of 2018 and direct them to obey the order passed by this Court.

For Petitioner : Mr.B.Balakrishna Pillai
For Contemnors : Mr.D.Sasikumar (R1 to R3)
Additional Government Pleader
Mr.N.Dilip Kumar (R4)

ORDER

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

When the petitioner herein had filed the writ petition with an allegation to remove the encroachment by the fourth respondent herein, the Co-ordinate Bench of this Court recorded the submission of the learned Special Government Pleader that steps have been initiated to remove the encroachments in the petition mentioned survey numbers. In the light of the submission made, the Co-ordinate Bench had directed the respondents to issue notice to the affected parties and proceed further in accordance with law.

2. The learned counsel appearing for the fourth respondent herein would now state that pursuant to the orders passed in the writ petition, the



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respondents had issued notice under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 and the fourth respondent has also challenged the same in WP(MD)No.139 of 2022, where he has arrayed the contempt petitioner as a party respondent.

3. In view of the action initiated for removal of encroachments and by taking into account that the fourth respondent herein has challenged the same and is pending adjudication in a writ petition before this Court, it would not be appropriate to parallelly adjudicate the present contempt petition. Nevertheless, if the contempt petitioner is granted liberty to work out her remedy, subject to the outcome of the result in the writ petition, the ends of justice could be secured.

4. Accordingly, this Contempt Petition stands closed with liberty to the petitioner to work out her remedy, subject to the outcome of the result in the writ petition. Consequently, connected Miscellaneous Petition is closed.

(M.S.R.,J.) (R.T.,J.)
16.11.2022
(2/2)

Index : Yes/No
Internet : Yes



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M.S. RAMESH, J.

and

R. THARANI, J.

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TO:

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Order made in
Cont.P.(MD)No.995 of 2019
(2/2)

Dated
16.11.2022