

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.10.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

Cont.P(MD).No.1396 of 2022

in

W.P(MD).No.3285 of 2022

V.Arockiasamy

... Petitioner/Petitioner

vs.

1.V.Latha,

The District Revenue Officer,
District Collectorate Campus,
Dindigul District 624 004.

2.Dhanushkodi,

The Tahsildar,
Nilakottai Taluk,
Dindigul District. 624 208

...Contemnors/
Respondents 2 and 4

PRAYER: Petition filed under Section 11 of the Contempt of Courts Act, to punish the respondents herein for committing contempt on disobeying the orders of this Court passed in W.P(MD)No.3285 of 2022 dated 21.02.2022.

For Petitioner	: Mr.G.Irudayasamy
For Respondents	: Mr.D.Gandhiraj Special Government Pleader

ORDER

The petitioner alleges that the order passed by this Court in W.P(MD)No.3285 of 2022 dated 21.02.2022 has not been complied with.

2.Paragraph No.8 of the said order reads as follows:

“8.For the foregoing reasons, this Court directs the second and fourth respondents to consider the petitioner's representation dated 29.11.2021 seeking for removal of names wrongly included in the Patta No.1016 in S.Nos.290/2A and 290/3A and re-enter petitioner's name and petitioner's brothers, Arivazhagan and Mathiyazhagan names in the Patta No.1016 in S.Nos.290/2A and 290/3A and to direct the fourth respondent to issue separate patta in S.Nos.290/2A and 290/3A for the extent of 82.5 cents and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner and his brothers, namely, Arivazhagan and Mathiyazhagan and all other rival claimants, including the petitioner's sister, Rose Benedict @ Thiruchelvem, within a period of twelve (12) weeks from the date of receipt of a copy of this order.”

3. The learned Special Government Pleader, on instructions, would submit that the application filed by the petitioner was considered by the authority concerned and enquiry was conducted on 04.08.2022. During the enquiry, it was found that the Tahsildar cannot pass any order, as per the report sent by Nilakottai Taluk Office in Na.Ka.No.12004/2016/அ4, dated 03.12.2019, in which it has been stated that with regard to the same land an application was filed by Duraiya, S/o.Nalluservai to include his name and the same is pending as an appeal before the Revenue Divisional Office, Dindigul in Na.Ka.No.9683/2019/அ4. After the said application is considered by the Revenue Divisional Officer, Dindigul, appropriate action can be initiated by the fourth respondent/Tahsildar. He further submitted that no wilful disobedience has been done by the said authority and sought for dismissing the contempt petition.

5. In view of the above, this Contempt Petition is closed. The petitioner is at liberty to approach the Revenue Divisional Officer concerned and participate in the proceedings.

10.10.2022

Index : Yes / No
 Internet: Yes / No
Rmk

V.BHAVANI SUBBAROYAN,J.,

Rmk

To

1.The District Revenue Officer,
District Collectorate Campus,
Dindigul District 624 004.

2.The Tahsildar,
Nilakottai Taluk,
Dindigul District.

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