



Cont.P.(MD)No.1499 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 24.11.2022

CORAM

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

Cont.P.(MD)No.1499 of 2022

Chokkalingam

... Petitioner/Petitioner

/Vs./

1.Mrs.K.Sukitha
Revenue Divisional Officer,
Sivagangai,
Sivagangai District.

2.Mr.M.Kannan
Tahsildar,
Taluk Office,
Thiruppuvanam,
Sivagangai District.

... Contemnors/Respondents

PRAYER: Petition filed under Section 11 Contempt of Courts Act, 1971, to punish the contemnor/respondent herein for contempt of willful disobeying the order dated 01.08.2022 in W.P(MD)No.16625 of 2022(batch).

For Petitioner : Mr.R.Murugappan
For Contemnors : Mr.D.Sasikumar
Additional Government Pleader



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ORDER

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

The grievance of the petitioner is that there are some encroachment in S.No.177/8, West side of the Thiruppachetti to Padamathur Road, Thiruppachetti, Sivagangai District.

2.In the order passed in W.P(MD)No.11333 of 2022, the Revenue Divisional Officer, Sivagangai District, was directed to take action either under Section 133 of Cr.P.C or under provision of the Land Encroachment Act, within the stipulated time. Alleging non-compliance of the order, the present contempt petition has been filed.

3.Today when the matter is taken up for hearing, the learned Additional Government Pleader appearing for the respondents produced a copy of the proceedings of the Revenue Tahsildar, Sivagangai District, dated 07.10.2022, in Na.Ka.A1/1906/2022, wherein it is stated that the subject land in S.No.177/8 stands in the name of Perumal Kovil and hence, cannot be treated as an encroachment. With this finding, the petitioner's request has been rejected.



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4.While that being so, if the revenue records shows that the subject land to be the name of the Temple, the rejection seems to be justified.

However, if the petitioner is of the view that the order of the Revenue Tahsildar, cannot be sustained, liberty is hereby granted to him to challenge the same in accordance with law.

5.In view of the above, this Contempt Petition is closed.

(M.S.R.,J.) (S.S.Y.,J.)
24.11.2022

Index : Yes/No

Internet : Yes

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TO:

1. The Revenue Divisional Officer,
Sivagangai,
Sivagangai District.

2.The Tahsildar,
Taluk Office,
Thiruppuvanam,
Sivagangai District.



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M.S. RAMESH, J.

and

S.SRIMATHY, J.

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