



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.06.2022

CORAM:

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cont. P(MD)No.1995 of 2021

in

W.P.(MD)No.14581 of 2020

Pachamuthu

... Petitioner/5th Respondent

Vs.

1.Kavitha Ramu, I.A.S.,
The District Collector,
Pudukkottai.

2.Periyanayagi
The Tahsildar,
Kulathur Taluk,
Pudukkottai.

3.Sriram
The Assistant Director of Panchayats,
Pudukkottai District.

4.K.Ramesh
The Block Development Officer,
(Village Panchayat)
Viralimalai Panchayat Union,
Pudukkottai District.

...Contemnors/Respondents 1 to 4

Prayer: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 to initiate contempt proceedings against the respondents and punish them for the willful disobedience of the Madurai Bench of Madras High Court order dated 16.10.2020 in W.P.(MD)No.14581 of 2020.

Prayer in WP(MD). 14581 of2020 :

Writ Petition filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Mandamus forbearing the 1st to 4th respondents herein from in any manner laying any pathway in respect of the property comprised in S.No.331/27 situated at Lakshminanapatti Village, Kulathur Tk., Pudukkottai District having patta No.180 by considering the representation of the petitioner dated 24-07-2020



For Petitioner
For Respondents

:Mr.M.Rajarajan
:Mr.M.Sarangan
Additional Government Pleader

O R D E R

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The petitioner alleges non-compliance of the order dated 16.10.2020 made in W.P.(MD)No.14581 of 2020.

2. When the matter was taken up for hearing, the learned Additional Government Pleader appearing for the respondents submitted that the portion shown as pathway in the revenue record has been fully cleared and that as on date, there are no encroachments. However, the petitioner is insisting on removal of the so called encroachments in Survey No.331/27. According to the learned Additional Government Pleader, as per the revenue records, this is a patta land. Since there is a factual controversy, it is not possible to adjudicate the same in contempt proceedings.

3. The contempt petition is closed. Liberty is given to the petitioner to file a fresh writ petition or suit in this regard.

Sd/-

Assistant Registrar(AD-II)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.Kavitha Ramu, I.A.S.,
The District Collector,
Pudukkottai.

2.Periyanayagi
The Tahsildar,
Kulathur Taluk,
Pudukkottai.



3.Sriram

The Assistant Director of Panchayats,
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4.K.Ramesh

The Block Development Officer,
(Village Panchayat)
Viralimalai Panchayat Union,
Pudukottai District.

+1 CC to M/s.M. RAJARAJAN, Advocate (SR-27193[F] dated 21/06/2022)

+1 CC to M/s.SPL.GP (SR-27482[F] dated 22/06/2022)

Cont. P(MD)No.1995 of 2021
in
W.P. (MD)No.14581 of 2020
20.06.2022

TP (CO)

KB (05.07.2022) 3P 7C