



Cont.P(MD)No.1768 of 2019

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 22.11.2022**

**CORAM:**

**THE HONOURABLE MR.JUSTICE M.S.RAMESH**

**and**

**THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

Cont.P(MD)No. 1768 of 2019

in

W.P(MD)No.24039 of 2018

Pitchai

... Petitioner/Petitioner

**Vs.**

1.Palanisamy,  
The Tahsildar,  
Aruppukkottai Post and Taluk,  
Virudhunagar District.

2.Murugan,  
The Block Development Officer,  
Office of the Thiruchuli Panchayat Union,  
M.Rediyapatti Post,  
Aruppukkottai Taluk,  
Virudhunagar District.

... Contemnors/Respondents

**PRAYER:** Contempt Petition filed under Section 11 of the Contempt of Court Act, 1971, to punish the respondent for non-compliance of the orders passed by this Court in W.P(MD)No.24039 of 2018, dated 10.01.2019.



Cont.P(MD)No.1768 of 2019

For petitioner : Mr.P.Ganapathi Subramanian  
For Respondents : Mr.D.Sasikumar,  
Additional Government Pleader

**ORDER**

\*\*\*\*\*

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

The order, dated 10.01.2019, passed in W.P(MD)No.24039 of 2018, by the Writ Court was to initiate action under the Tamil Nadu Land Encroachment Act, 1905, for the purpose of removing the encroachment.

2. Alleging willful disobedience of the aforesaid order, the present contempt petition has been filed.

3. Today, when the matter was called, the learned Additional Government Pleader, filed a status report of the first respondent, wherein it is stated as follows:

*“8. It is submitted that the fifth respondent in the presence of Revenue Officials themselves vacated the encroachment made by them in S.No.27 Tank Poramboke, S.No.29 Odai Poramboke and S.No.31/2 Odai Poramboke,*



Cont.P(MD)No.1768 of 2019

*of Melakandamangalam Village, Aruppukkotai Taluk. The fact was intimate to the first respondent by the third respondent in his Rc.A2/4830/2019 dated 03.12.2019. The fact of eviction of encroachment made by the fifth respondent was also intimated to the petitioner by the third respondent in to Rc.A2/4830/2019 dated 03.12.2019.”*

4. The learned counsel for the petitioner also affirms that the encroachment in Survey No.27, has been removed.

5. In view of the same, the disobedience alleged by the petitioner, cannot be termed to be willful in nature.

6. Recording the status report of the first respondent, the contempt petition has been closed.

**[M.S.R.,J.] & [B.P.,J.]**

**22.11.2022**

Index : Yes/No

Internet : Yes/No

pm



WEB COPY



**Cont.P(MD)No.1768 of 2019**

**M.S.RAMESH, J.**  
**AND**  
**B.PUGALENDHI, J.**

pm

**ORDER MADE IN**  
**Cont.P(MD)No.1768 of 2022**

**22.11.2022**