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Cont.petr.No.442 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **24.08.2023**

CORAM:

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN
AND
THE HON'BLE MR.JUSTICE S.SOUNTHAR

Contempt Petition No.442 of 2023

D.Elayaperumal

...

Petitioner

...Vs...

1. Dr.Jayachandra Banu Reddy, I.A.S.
The District Collector
Krishnagiri District
Pincode-635001.

2. Mrs.S.Rajeswari,
The District Revenue Officer
Krishnagiri District,
Pincode-635001

3. Mr.Govindaraj
The Tahsildar,
Uthangarai Taluk,
Krishnagiri District-635207.

4. Mr.Loganathan
The Village Administrative Officer,
Kizhmathur Village,
Andiyur Post,
Uthangarai Taluk,
Krishnagiri District-635307

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Respondents



Cont.petr.No.442 of 2023

Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the Respondents for the act of Contempt of Court for deliberately disobeying the order dated 29.03.2022 in W.P.No.7189 of 2022.

For Petitioner : Mr.R.Sathish Kumar

For Respondents : Mr.J.Ravindran
Additional Advocate General
Assisted by
Mr.A.Selvendran,
Special Government Pleader

ORDER

This contempt petition is filed alleging non compliance of the order passed by this Court on 29.03.2023 in W.P.No.7189 of 2022.

2. Today, when this matter was taken up for hearing, Mr.A.Selvendran, learned Special Government Pleader appearing for the Respondents submitted that pursuant to the orders passed by this Court on 29.03.2023 in W.P.No.7189 of 2022, the 2nd Respondent issued a proceedings dated 20.07.2023 in Na.Ka.No.806/2022/A3 mentioning the Survey Nos.239/6, 239/7B, 248/1, 249/1 as 'Paathai' and he submitted that the encroachments in the aforesaid survey numbers will be removed and ensured that there will be no encroachment.



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3. Though it is vehemently contended by the learned counsel for the Petitioner that authorities are trying to acquire the property in Survey No. 249/2, it is not the issue in the Writ Petition No.7189 of 2022, which is the subject matter of present contempt petition. The learned counsel for the Petitioner also brought to the attention of this Court that a Writ Petition in W.P.No.19724 of 2023 was filed by the Petitioner, seeking direction to the 3rd Respondent to conduct enquiry by issuing notice under Section 7 of Land Encroachment Act, 1905 in respect of Survey No.249/2, this Court passed an order on 05.07.2023 directing the petitioner to approach the Civil Court for removal of encroachment and therefore it is for the Petitioner to work out his remedy before the appropriate forum, in the manner known to law.

4. Recording the submission of the learned Special Government Pleader and also the proceedings of the second respondent dated 20.07.2023, this Contempt Petition stands closed. However, it is open to the petitioner to seek remedy before the appropriate forum, in the manner known to law.

[S.V.N,J.] [S.S,J,]
24.08.2023

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S.VAIDYANATHAN, J.
AND
S.SOUNTHAR, J.
arr

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